

CONNECTIONS

CONSERVATION DISTRICT, EXTENSION SERVICE, FARM SERVICE AGENCY, & NATURAL RESOURCES & CONSERVATION SERVICE

September, 2008

DIRECT AND COUNTER CYCLICAL PAYMENT PROGRAM SIGNUP HAS BEGUN

Signup for the DCP program began June 25th and will end September 30, 2008. All signatures to shares of the contract must be received by close of business on September 30th.

Commodities covered by DCP include wheat, corn, grain sorghum, including dual purpose varieties that can be harvested as grain; barley, oats, soybeans, canola, flaxseed, mustard, safflower, crambe, sesame seed, rapeseed and sunflowers including oil and non-oil varieties. Beginning with the 2009 crop year, pulse crops, including chickpeas (both Kabuli (large) and Desi (small) Garbanzo beans), dry peas, and lentils will be added as covered commodities. Chickpeas, both Kabuli and Desi Garbanzo beans are not considered a vegetable beginning with 2008.

Annually, producers must sign a CCC-509, DCP contract, designating shares. The CCC-502 (Farm Operating Plan for Payment Eligibility Review for an Individual) and an AD-1026 (Highly Erodible Land Conservation and Wetland Conservation Certification) need to be

on file to be eligible for payments.

DCP base acres in effect on September 30, 2007 will be in effect for 2008. Producers on a farm with a total of 10 base acres or less are not eligible to receive payments on that farm unless the farm is wholly owned by a minority or limited resource farmer or rancher.

The 2008 Farm Bill also provides for restoring base acreages when a Conservation Reserve Program (CRP) contract expires or is voluntarily terminated provided there is enough effective DCP cropland acreage on the farm to support the base.

Payment rates for eligible crops were fixed in the 2008 Farm Bill. Direct payment rates are:

| Crop | 2008 Payment Rate |
|----------------|--------------------------|
| Barley | \$0.24/bu |
| Corn | \$0.28/bu |
| Grain Sorghum | \$0.35/bu |
| Oats | \$0.024/bu |
| Other Oilseeds | \$0.80/cwt |
| Soybeans | \$0.44/bu |
| Wheat | \$0.52/bu |

| INSIDE THIS ISSUE | |
|--------------------------|--|
| 3 | 2008 Buy-In for Disaster Assistance |
| 6 | New Payment Limitation Provisions |
| 7 | Land Tax Reappraisal |
| 9 | High Energy Costs |

Payment acreage for the 2008 DCP is equal to 85 percent of the eligible base acreage. ●



CHANGES TO REVOCABLE TRUST, ESTATES, AND LIMITED LIABILITY COMPANIES (LLC'S)

The 2008 Farm Bill implemented new changes to the way FSA deals with revocable trusts, estates, and LLCs. The major changes are:

Estates can no longer use the Social Security Number (SSN) of the deceased individual. The estate must obtain an IRS Employer Identification Number (EIN) for the estate. Once a producer is deceased, payments must be made to the EIN.

Revocable trusts must now obtain an EIN if a third party is serving as trustee or successor trustee. Revocable trusts with a single person serving as grantor, beneficiary, and trustee, who does not hold another interest in an entity earning payment or as an individual may continue to use their SSN's as an identifying number.

Beginning in FY 2009, beginning October 1, 2008, LLC's with one member must use a tax ID number.

These changes are effective immediately. Revocable Trusts with a third party serving as trustee that are currently operating under a SSN will be required to provide a tax ID number prior to any future program sign ups. LLCs using a SSN will be required to obtain an EIN prior to FY2009 program signups.

Web addresses for the IRS policies requiring estates and LLCs to have a Tax ID number are available at <http://www.irs.gov/pub/irs-pdf/p1635.pdf> page 16, section H, LLC. ☺

2008 RECONSTITUTIONS

The 2008 Farm Bill states a producer of a farm with base acres of 10.0 acres or less may not receive direct payments, counter-cyclical payments or average crop revenue election payments except if the farm is owned by a minority or a limited resource farmer or rancher. Producers may no longer request that these farms be combined with another farm except in limited circumstances.

A farm having base acres of 10.0 acres or less may be combined with another farm if one of the farms undergoes a change in land ownership and the new owners of each of the farms participating in the

combination are identical and have identical shares in each property involved.

Producers must request reconstitutions by August 1, 2008. ☺



CRITICAL FEED USE HALTED (CFU)

On July 24th a District Judge issued a permanent injunction against the USDA Farm Service Agency (FSA) Critical Feed Use Program. The injunction was the result of a lawsuit filed by the National Wildlife Federation against FSA stating the agency violated the National Environmental Policy Act by failing to study the environmental impacts of its action before implementing the program.

The ruling limits Critical Feed Use to three categories of producers:

- Category A - CRP participants who applied for Critical Feed Use and the contract modification form was signed and approved by FSA prior to the issuance of the Temporary Restraining Order on July 8, 2008. Haying or grazing must end by November 10, 2008, and there will be no rental reduction. Such activity will restart the waiting period for CRP managed haying and grazing;
- Category B – CRP participants who applied for Critical Feed Use and signed the required contract modification form prior to or on July 8, 2008 but was not approved by FSA. The injunction changed the haying and grazing ending dates for these applications. Haying must end by September 30, 2008 and grazing must end by October 15, 2008. There will be no rental reduction. Such activity will restart the waiting period for managed haying and grazing on CRP;
- Category C – CRP participants who can provide documentary proof of investment or obligations of \$4,500 prior to or on July 8, 2008 in preparation for Critical Feed Use.

CRP Participants interested in Critical Feed Use should contact the office. ☺

2008 ACREAGE REPORTS ELIGIBILITY FOR DISASTER ASSISTANCE PROGRAMS

To be eligible for the 2008 Farm Bill Disaster programs producers must report all crops in all counties in which the producer has an interest.

The disaster assistance requires that ALL crops in ALL counties be reported. If producers have filed an acreage report but did NOT report all crops in all counties in which they have an interest in, the producer must visit their county office(s) and add any crops not reported. If producers have not filed an acreage report, but wish to be eligible for the permanent disaster programs, they must file an acreage report for all crops in all counties in which they have an interest.

The final date to revise an acreage report or to file an initial acreage report is July 15th unless an extension is granted. Any revisions or initial filing of acreage reports after that date will be considered late-filed. The late-file fee will be waived for the permanent disaster programs only. Producers have to provide evidence of existence or disposition of crops. ☺

2008 CROP YEAR BUY-IN FOR DISASTER ASSISTANCE PROGRAMS

The 2008 Farm Bill created several new disaster programs under the title “Supplemental Agricultural Disaster Assistance.” These programs include:

- Emergency Assistance for Livestock and Honey bees (ELAP)
- Livestock Forage Disaster Program (LFP)
- Livestock Indemnity Program (LIP)
- Supplemental Revenue Assistance Payments (SURE) Program
- Tree Assistance Program (TAP)

To be eligible for many of these programs, producers must purchase at least catastrophic (CAT) level of crop insurance for all insurable crops and/or Non-insurable Crop Disaster Assistance Program (NAP) coverage for non-insurable crops. Sales closing dates for CAT and application closing deadlines for NAP have

passed for the 2008 crop year for all insurable and non-insurable crops. A Risk Management Purchase Requirement waiver has been authorized in the 2008 Farm Bill to allow those wanting to participate in the disaster assistance programs to pay a “buy-in” fee for crops that crop insurance or NAP coverage was not purchased for 2008.

The deadline to purchase the buy-in fee is **September 16, 2008**. To be considered to have met the Risk Management Purchase Requirement, a “buy-in” fee in an amount equal to the applicable CAT and/or NAP fee for those crops that currently do not have either a crop insurance policy or NAP coverage must be paid by the close of business on **September 16, 2008**.

For SURE, TAP and ELAP, a “buy-in” fee must be paid for all crops on the farm that do not have at least CAT level crop insurance or NAP. For LFP, a “buy-in” fee must be paid for the grazing land incurring losses for which assistance is being requested. LIP is exempt from the “buy-in” fee requirement.

The “buy-in” fee for both CAT and NAP are:

\$100/ crop per FSA administrative county

\$300/producer per FSA administrative county (including previous fees paid for coverage) ☺

NAP AND CROP INSURANCE COVERAGE IMPERATIVE

For the 2009 crop year it is imperative to purchase Non-insured Crop Disaster Assistance Program (NAP) and catastrophic (CAT) level of crop insurance for all insurable and non-insurable crops. This is not only for production coverage but also for eligibility for the 2008 Farm Bill disaster assistance programs. **Coverage must be provided on all crops as well as grazing land.**

For producers to be **eligible** for assistance under the Supplemental Revenue Assistance Payments (**SURE**) Program, Tree Assistance Program (**TAP**) and the Emergency Assistance for Livestock, and Honey Bees, (**ELAP**), producers must obtain a plan of insurance for each insurable commodity on the farm and, for each non-insurable commodity. The producer must file the required paperwork and pay the administrative fee by the NAP closing date of March 15, 2009 for all crops except value-loss and honey. The sales closing date for honey is December 1.

Continued from Page 3

To be eligible for assistance under the Livestock Forage Disaster Program (LFP), producers must obtain a plan of insurance or file the required paperwork and pay the administrative fee by the NAP closing date of March 15, 2009 for the grazing land incurring losses for which assistance is being requested.

The NAP application closing date for value loss crops is September 1, 2008.

According to the 2008 Farm Bill, a farm is defined as the sum of all crop acreage in all counties that is planted or intended to be planted for harvest by the eligible producer.

Please contact the office to ensure your eligibility for the disaster assistance programs by applying for NAP by the application closing dates. ☺

SIGNUP FOR CROP DISASTER PROGRAM QUALITY LOSSES BEGAN

Eligible producers who suffered quality losses to their crops during 2005-2007 can begin signing up for benefits in the Crop Disaster Program (CDP).

The program is open to anyone who suffered losses to their 2005-2007 crops from natural disasters and related conditions. Producers who incurred qualifying quality losses in 2005, 2006, or 2007 may receive benefits for only one of these years. However, producers may apply for benefits for losses to multiple crops as long as the losses occurred in the same crop year.

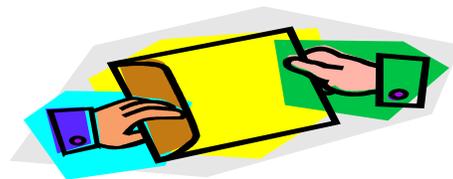
To receive benefits from CDP for quality losses, producers must have had crop insurance or been covered under the Noninsured Crop Disaster Assistance Program (NAP) for the disaster year that the quality loss occurred. Producers must have suffered quality losses of at least 25 percent and also suffered an economic loss of 25 percent compared to the crops value if the crop had not suffered a quality loss to be eligible for CDP quality loss benefits.

In determining affected production, participants in CDP must supply verifiable production records to the FSA county committee to substantiate the level of quality loss. Verifiable production records must include the quantity of production; indicate the level of quality loss and the price.

Verifiable production records include, but are not limited to: commercial receipts, settlement sheets, warehouse ledger sheets, load summaries or acceptable forage test.

Production of a commodity sold under a marketing contract is eligible for CDP quality loss. Producers have the option to submit marketing contracts. If the marketing contract is determined to be a valid contract then the contract price will be used to calculate the loss levels for quality and the quality payment.

Signup for the program began June 23rd. Currently no ending date has been set. ☺



RESPONSIBILITIES FOR CRP CONTRACT HOLDERS

CRP contract holders have certain responsibilities for carrying out the terms and conditions of the CRP contract. Those include, but are not limited to:

- Control all weeds, insects, pests and other undesirable species to the extent necessary to ensure that the establishment and maintenance of the approved cover is adequately protected and there is no adverse impact on surrounding land.
- Establish and maintain the required vegetative or water cover and other required practices.
- No activity may be conducted on CRP acres without authorization.
- Prior approval must be received from FSA before any harvesting, grazing or other commercial use of the forage may begin.
- If land with a CRP contract is sold, the new owners should notify the local county FSA office if they want to continue the contract.

If CRP land is sold and the new owner does not wish to continue the CRP contract, the previous CRP participant will be required to repay all payments received on the contract plus interest and liquidated damages. Liquidated damages are equal to 25 percent of the annual rental payment on those acres

MIXED GRAIN/HAY LOAN LDP ELIGIBILITY

USDA does not establish loan rates for mixed commodities. A mixed commodity harvested as grain that does not meet grading standards is not eligible for a loan or Loan Deficiency Payment (LDP). A mixed commodity that is hayed or harvested as silage is not eligible for an LDP.

Eligibility for Grain/Oilseeds/Pulse Crops Harvested as Grain – If a mixed commodity is harvested as grain and a farm-stored loan or LDP is applied for, a sample of the harvested crop must be taken to a licensed Federal Grain Inspection Service (FGIS) laboratory for grading, at the producer's expense. Loan or LDP eligibility will be determined based on the results of the sample.

Eligibility for Grain/Oilseeds/Pulse Crops Harvested as Other Than Grain – If the mixed commodity is harvested as hay or silage, there is no test to determine the percentage of each commodity in the mixture to establish the grade and class. Therefore, crops planted in a mixture and hayed or harvested for silage are not eligible for an LDP.

A commodity planted as a nurse crop with alfalfa may be eligible for an LDP if a full seeding is planted and the commodity is reported as the intended use for grain or forage. The County Committee may require documentation to support the seeding rate. ☺

BEFORE YOU SELL YOUR GRAIN CHECK THE LDP RATE

Toole County's LDP posted county price is currently \$2.00 to \$6.00 away from the loan rate. But, it is still important for producers keep an eye on the LDP rates. Page 1 of the CCC-633EZ, (Loan Deficiency Payment Agreement and Request) needs to be filed **before any of the eligible loan commodity is sold**. If this page is not on file at the office, the producer must have ownership and control of the commodity at the time the LDP is requested.

Beneficial interest is retained in the commodity if all of the following remain with the producer:

Control of the commodity, the commodity must be within their possession; risk of loss; title to the

commodity.

Once beneficial interest in the commodity is lost, the commodity remains ineligible for a loan or an LDP even if the producer regains control, risk of loss, and title. ☹

2008 LOAN RATES

| | |
|--------|--------------|
| HRW | = \$2.87 |
| HRS | = \$2.83 |
| HAD | = \$2.70 |
| BLY | = \$1.84 |
| OATS | = \$1.21 |
| PEAS | = \$6.14 cwt |
| CANOLA | = \$8.20 cwt |

The final application date for 2008 grain loans is March 31, 2009. ☹

2008 FARM BILL PROVIDES CHANGES TO FARM LOANS

Some of the changes relating to the Farm Bill effective May 22, 2008:

The maximum loan amount authorized for Direct Farm Ownership or Farm Operating loans has increased from \$200,000.00 to \$300,000.00 per program.

Down Payment Loan Program has been modified by several changes in the Farm Bill. The program is expanded to include Socially Disadvantaged farmers in addition to beginning farmers and ranchers. The interest rate is specified as the greater of the direct FO regular rate less 4% or the floor of 1.5%. The maximum loan amount is an amount not to exceed 45 % of the purchase price, appraised value or \$225,000.00. The loan term is extended from 15 to 20 years and the down payment has been reduced from 10% to 5%.

Direct loan assistance for farm ownership loans has been modified on the amount of farming experience one needs to be eligible for the loan program. Farm experience will be considered without regard to time elapsing between when the experience occurred. No longer requires three consecutive years of experience prior to making an application. ☹

HAZARDOUS FUELS REDUCTION PROGRAM

Resource Conservation & Development Areas (RC&D's) across Montana have joined forces with Extension Service Offices to assist landowners with creating defensible space around their homes. By doing this, landowners will reduce the risk of catastrophic wildfire and implement management practices that increase forest health.

The program provides technical and financial assistance for landowners to develop and implement a hazardous fuels mitigation plan. Grant funding is available for landowners to assist with cost-share for paying for fuels reduction work (clearing, thinning, and trimming vegetation).

For an RC&D office near you, contact your local Natural Resources Conservation Service located in the USDA Service Center. ☺

HAVE A BIG IMPACT ON WILDLIFE BY DOING THE LITTLE THINGS

Sometimes it's the little things you do in life that count. That can be the case with good fish and wildlife habitat. Everything you do, or don't do, on your land has an effect on the wildlife you share it with and the fish in the streams and rivers. Just letting plants grow taller, rather than clipping close to the ground, gives more cover for wildlife. Or letting a few weedy plants grow results in more insects for young birds. If you think about leaving food or cover for wildlife and fish as you manage your land, you're on your way to doing the little things that can add up to having a major impact. Here are some suggestions along the way:

- ❖ **Grass and hay fields.** Leave streambanks, ditchbanks, roadsides, grassed waterways, and other odd areas undisturbed or wait until after the nesting season to mow. Add flushbars to mowing equipment. Mow hayfields from the center to the outside, giving wildlife a chance to escape to field edges.
- ❖ **Crop fields.** Use no-till or conservation tillage to provide cover and food for wildlife in winter. Leave a few rows of standing crop along field edges to provide wildlife food.

Maximize the likely survival of pheasants, huns and other birds by leaving these rows next to large tracts of grasses, trees or other habitat.

- ❖ **Smart pest control.** Use integrated pest management practices to minimize fish and wildlife exposure to pesticides and encourage beneficial insects, bats, raptors and other species to help in reducing crop pests.
- ❖ **Maximize odd areas.** Make full use of non-farmed areas by establishing habitat used by the wildlife you want to see on your farm.

Use native grasses as well as forbs and legumes. Lightly disc a portion of your grasses early in the year-- new growth of annual forbs will encourage insects and produce seeds for pheasants, grouse and other wildlife. Plant native trees and shrubs to produce fruits and berries. Leave dead trees standing in woodlots to provide nesting and foraging sites for woodpeckers and other cavity nesting wildlife. Put up bird houses, bat boxes, and other artificial nesting structures.

For more information, stop at our office or visit the NRCS Wildlife Habitat Management Institute's website at www.whmi.nrcs.usda.gov. ☺

NEW PAYMENT ELIGIBILITY AND LIMITATION PROVISIONS

Bozeman, MT – The 2008 Farm Bill provides changes to the payment eligibility, payment limitation, and adjusted gross income (AGI) for USDA Farm Service Agency (FSA) program benefits. For 2008 the current rules for payment eligibility, payment limitation, and AGI remain the same. The majority of the changes will be implemented for the 2009 and subsequent program years.

Some of the changes for 2009 are:

- An individual or entity is limited to \$40,000 for 2009 Direct and Counter-cyclical Payment Program (DCP). There are no "person" determinations nor is there a restriction on the number of entities through which an individual may hold an interest that also receive payment.
- The "person" rules do not apply

Continued on Page 7

- Permitted entity rules do not apply
- Payments will be limited by direct attribution of payments. Under attribution, the payment limitation is applied by crediting individuals and entities with both the amount of payments they receive directly and also the amount they are considered to have received indirectly by holding an interest in an entity receiving payment.

Average AGI limitations for 2009 payment eligibility apply to both individuals and entities and vary by program. The requirements are as follows:

For commodity and price support programs, if the individual or entity has:

- Non-farm AGI greater than \$500,000, the individual or entity is not eligible for DCP or price support benefits.
- Farm AGI greater than \$750,000, the individual or entity is not eligible for direct payments under DCP.

For conservation programs, if the individual or entity has:

- Total AGI greater than \$1 million, the individual or entity is not eligible unless 2/3's of the income is derived from farming, ranching, and forestry operations.
- Non-farm AGI greater than \$1 million, the individual or entity is not eligible for conservation program benefits.

AGRICULTURE LAND TAX REAPPRAISAL

The Montana Department of Revenue is entering the last implementation stages of the agricultural land reappraisal that will go into effect on January 1, 2009. In the middle of harvest, January 2009 seems like a long ways off. However, this is relevant right now as this fall will be the best time to modify the state's determination. The proposed appraisals will be mailed to landowners in soon. If any modifications are necessary, producers need to contact the appraisal department immediately as modifications will only be accepted this fall. Once the tax bill comes next spring, the only recourse will be to appeal the appraisal.

Agricultural land taxes are unusual in that state law requires they be based on the productivity of the land, not land values. In our region, those two valuations are probably closely related, but we can all think of areas of the state where they are not! Commercial and residential properties and agriculture land values are continually updated, but it has been 40 years since the state has updated the current land use and associated productivity. Many things have changed in the last 40 years, so it is certainly worth checking the appraisal and making sure the state has your property valued correctly.

The process of determining the productivity of agricultural land is complex and has been underway since early 2007. The Department of Revenue used aerial photography and other available technical information to get a general idea of how land was being used. Physical, on-the-ground inspection (known as ground-truthing) and operator interviews were conducted to ensure accuracy. Once agriculture use was determined, NRCS soil survey information was used to determine expected levels of production from the different crops grown. In addition, the Department used 12-year countywide average production information obtained from the Montana Ag Statistics to adjust the NRCS productivity information. All these steps were taken before the maps were mailed to each landowner and/or producer in the state.

Receiving the maps in the mail is not the last step. Landowners need to check these maps to verify the accuracy of the Department of Revenue's determination. As I said earlier, modifications to the maps are easiest to do this fall.

For more information on the agricultural land reappraisal, contact your local Appraiser/Assessment office.

Please contact the Toole County Extension Service at 424-8350 for further information on this article or upcoming events. Montana State University, U.S. Department of Agriculture and Montana Counties Cooperating-MSU is an equal opportunity/affirmative action institution. ☺



FSA AND THE LEGAL POWER OF ATTORNEY

If one of the things you are doing for estate planning is giving somebody your power of attorney, you need to keep in mind that the FSA office can not accept any power of attorney forms other than FSA-211 for FSA and CCC programs. An exception would be in unique cases when a producer could not complete FSA-211, such as incompetence; incapacitation or cases involving members of the US Armed Forces under active military duty. In these cases the power of attorney requires review and approval by the regional attorney. Minors may **not** appoint an attorney-in-fact to act on their behalf or be appointed an attorney-in-fact to act on grantor's behalf. Since August 1, 1992, spouses may sign documents on behalf of each other for FSA and CCC programs in which either has an interest without completing FSA-211, unless written notification denying this authority has been provided to the County Office.

An FSA-211 authority does **not** provide the appointed attorney-in-fact the authority to sign or act on behalf of the grantor for anything outside of the FSA Office or for any of the following actions:

- COC elections
- Granting authority to another individual
- requesting direct deposit electronic access, unless designated on the form
- any program that is not a FSA or CCC program.

An FSA-211 shall remain in full force and effect from the date the FSA-211 is correctly executed until 1 of the following occurs:

- grantor cancels FSA-211 in writing by either of the following:
- providing written notification of cancellation of FSA-211 to the County Office
- either grantor or appointed attorney-in-fact dies, becomes incompetent or incapacitated
- is a legal entity, and the entity becomes dissolved

Transferring a farming operation to a different County Office does not invalidate a power of attorney.

For individuals granted authority to act as attorney-in-fact on behalf of another individual or entity, the signature shall consist of both an indicator, such as "by" or "for", illustrating that the individual is signing in a representative capacity, the individual's name, capacity, and name of individual or entity that granted authority.

When an individual is declared incompetent and a conservator has been appointed by the court to act on behalf of the incompetent individual the conservator may act on behalf of the incompetent individual for FSA and CCC programs; neither FSA-211 nor non-FSA power of attorney form is required for the conservator to act on behalf of the incompetent individual. However, before an individual may sign as a conservator, a copy of the court order must be provided to the County Office.

County offices may process and record a non-FSA power of attorney form for incapacitated individuals **only** when **all** of the following are met:

- grantor cannot complete FSA-211 because of incapacitation
- conservator for the grantor has not been appointed by the court
- individual appointed as attorney-in-fact by the non-FSA power of attorney form **signs and dates** the Non-FSA Power of Attorney Certification provided by the county office
- County Office is provided a legible copy of the non-FSA power of attorney form to maintain on file
- regional attorney reviews and approves the non-FSA power of attorney form to ensure that the form meets both of the following:
- provides legally sufficient authority for the attorney-in-fact to act on behalf of the grantor for FSA and CCC programs
- compliance with applicable State and local laws.

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DON'T GET BLOWN AWAY BY HIGH ENERGY COSTS

By: Lance Wallewein

With today's energy crunch and high fuel costs home owners, farmers, and ranchers are looking for ways to conserve energy. One way to conserve energy on a farm, ranch, or house is the use of windbreaks. Windbreaks have long been used in our area for protection against the wind. However, if implemented right they can reduce energy costs too.

Windbreaks can cut down the penetrating power of the wind. An unprotected home loses much more heat on a cold, windy day than on an equally cold, still day. Infiltration and air leakage can account for as much as one-third of heating losses in some buildings. Cold, outside air flows in through cracks around windows and doors, and even through pores in walls. This produces drafts that may cause you to compensate by raising the thermostat to unreasonable levels just to maintain some degree of comfort.

A properly designed windbreak can reduce energy costs from 10% to 40%. Savings will vary due to differences in houses such as build quality and construction materials, but the savings are there. Agriculture Canada conducted a 2 year study comparing heating costs in a well sheltered farmyard with those of a completely unsheltered one. The study, conducted during the winters of 1981-82 and 1982-83 near Indian Head, Saskatchewan, used two identical, electrically heated trailers kept at 72 degrees F. The study found that the sheltered trailer used 27 percent less electricity. A resident of Ft. Collins, Colorado, built a home on rural acreage in 1970 and planted a windbreak for protection at the same time. For the next 20 years, he recorded the amount of natural gas used to heat the home. As the windbreak matured, he observed a decrease in gas use with an estimated 40 percent savings overall in the 20 year period.

Windbreaks also help during the summer. During the summer, shade on east and west sides of homes, shops and other buildings can reduce air conditioning costs. Shading of an outside air conditioner unit will effectively reduce costs as well. Shade and evergreen plantings can help supplement the energy savings provided by

windbreaks. Keep in mind that windbreaks not only can benefit the home but they can also reduce energy costs for other buildings including heated shops.

Livestock operations can benefit from windbreaks too. Windbreaks have been proven to reduce feed costs during the winter. The heavy winter coat on cattle can provide protection against temperatures as low as 18 degrees. At temperatures below 18 degrees the animal is stressed and starts to require additional feed to maintain body temperature. Exposure to winter winds will increase the need for additional feed. For example, an average 880-pound animal, with its winter coat, has a critical temperature of 32 degrees and requires 1.1 percent more feed per degree of cold. If the temperature is 10 degrees and the wind speed is 10 mph, the wind chill temperature is 9 degrees below zero and the animal needs 45 percent more feed (critical temperature minus wind chill temperature times increased feed requirements). If this same animal was protected by a windbreak providing a 70 percent reduction in wind speed, the wind chill factor would change from minus 9 degrees to 2 degrees above zero. The difference between the critical temperature and the wind chill temperature would be 30 degrees and the increased feed requirements would be only 33 percent, a saving of 12 percent.

Lastly, windbreaks can also be used for snow drift control around the yard and on roads. This would in effect reduce snow removal costs and fuel usage. For wind and snow protection, sufficient space must be provided to store snow that drifts during severe storms. Distance varies from one region to another but usually ranges from 100 to 200 feet. An effective wind break usually consists of 3 to 8 rows and is located windward of the object or area in need of protection.

The height and density of trees determine the amount of protection they will provide. Windbreaks of 2 to 5 rows of trees and shrubs generally provide good protection. Evergreen trees can provide the best protection, although low, branching deciduous trees can significantly reduce wind speed. Even a single row of evergreen trees will give some protection.

Windbreaks reduce wind velocity significantly for a distance of about 10 times the height of the trees. Maximum protection is provided within a distance of 5 times the height of the trees. Thus a windbreak 30 feet high protects an area extending as far as 300 feet downwind and some protection is provided for as far as 20 times the height of the trees.

Continued on Page 10

Remember, to realize the benefits associated with windbreaks, the two best times for starting one is today and 20 years ago. For more information on energy-saving conservation practices contact your local NRCS field office for more information. ☺

2008 FARM BILL UPDATE

The Food, Conservation, and Energy Act of 2008 was approved by Congress in May 2008. At this time several changes were made to the Federal Register language for numerous programs that fall under the 2008 Farm Bill. The local NRCS office is still waiting on policy to be written before any action can be taken in response to the new 2008 Farm Bill. Below are a few changes that effect NRCS related activities.

Conservation Reserve Program (CRP) – Reduce acreage limit nationally by 9 Million acres.

“CSP” – Name changed from the Conservation Security Program to the Conservation Stewardship Program. The new CSP program will go into effect in 2009 and will be open to every producer in every watershed nation wide. The federal register has no mention of tier levels. The new CSP is intended to have a sign-up and ranking period similar to EQIP, in which applications will be competitively ranked.

Environmental Quality Incentive Program (EQIP) – Remains in place and similar to the previous program. The funding will increase from 1.2 billion/year to 1.75 billion over a 5 year period.

Wildlife Habitat Incentives Program (WHIP) – Land eligibility has been limited to private agricultural land, non-industrial private forest land and Tribal land. Payments can not exceed \$50,000 per year to a person or legal entity. The funding for WHIP remains at \$85,000,000 per fiscal year through 2012.

Wetland Reserve Program (WRP) – Prohibits enrollment of land where ownership has changed during the previous 7 years. Enrollment is limited to private or Tribal lands. Producers can choose between a permanent or 30- year easements or restoration agreements. There is a 30-year contract option for Tribes. Funding was reduced from 39.2 Million to 30 million.

Grassland Reserve Program (GRP) – Allows for an

additional 1,222,000 acres each year between fiscal years 2009 through 2012. Rental agreement options are for 10, 15, or 20 years. Producers can no longer sign-up for a 30 year easement, but can opt for a perpetual easement. A new annual \$50,000 payment limitation for rental agreement and restoration agreement payments was added.

Adjusted Gross Income (AGI) eligibility was reduced from 2.5 million average annual income to 1 million limit or 2/3 of average adjusted gross income coming from agriculture. Producer's who do not meet the AGI eligibility requirement can not participate in USDA programs.

The local NRCS office will try from time to time to keep producer's informed as new policy is written. Keep your eyes open for newsletter articles, directing mailings, or producer workshop in the coming year to learn more about the 2008 Farm Bill. ☺

310 PERMITS NECESSARY

By: Sara Shepard

It has been awhile since this subject has been mentioned so the Toole County Conservation District thought a reminder was due.

Any private, nongovernmental individual or entity that proposes to work in or near a stream (this being the Marias River) on public or private land must apply for a permit. The activities that require a permit is any activity that physically alters or modifies the bed or immediate banks of a perennial-flowing stream. Types of activities that may require a permit include the following: engineering operations for dams, dikes, ponds, ditches, fences and other construction; stream crossings; bank stabilization projects; irrigation diversions, head gates, and pump site maintenance.

The purpose of this law was to minimize soil erosion and sedimentation, and to protect and preserve streams and rivers in their natural or existing state.

So if you plan any work on the Marias River contact the Toole County Conservation District and ask for an application form. Work being done without a permit face a hefty fine for every day the stream has been modified. This means you are fined every day until the area changed is put back the way it was originally if, this is the decision from the board of Supervisors.

If you have any questions please call the conservation district office at 434-5234 ext. 113 Monday, Tuesday or Thursday. ☺

USDA SERVICE CENTER

Phone: 406-434-5234

FAX: 406-434-2718

CONSERVATION DISTRICT BOARD MEMBERS

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Steve Ahrens, Vice Chairman

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Carla McNamara-Payment Limitation &
Direct Counter Cyclical Payment Program (Ext 101)
email: carla.mcnamara@mt.usda.gov

Dale White-CRP & Maps (Ext 106)

email: dale.white@mt.usda.gov

Lynda Fretheim-Crop Certification & Maps
(Ext 104) *email:* lynda.fretheim@mt.usda.gov

CHANGE IN DIRECT DEPOSIT ACCOUNT

The Debt Collection Act of 1996 mandates that payments from FSA be directly deposited into a producer's checking or savings bank account. It is important that any change in the producer's account such as type of account, bank mergers, routing number or account numbers be provided to the county office promptly to avoid possible payment delay. ☺

SUBMISSION OF APPLICATIONS VIA E-GOVERNEMENT

As required by the Freedom to E-File Act, eForms provides customers with the option to electronically access, fill out, and print paper forms, or obtain secure electronic access credentials for signing and transmitting forms and other documents electronically to their local Service Center. Level 2 access is required. Step-by-step instructions are available on the Montana FSA website at <http://www.fsa.usda.gov/mt> explaining the Level 2 access process. Contact the local county FSA office to complete your Level 2 registration. ☺

WOMEN STEPPING FORWARD FOR AGRICULTURE SYMPOSIUM

Mark your calendars for the annual Women Stepping Forward for Agriculture Symposium to be held September 30 & October 1 at the Clock Tower Inn in Billings, Montana.

A great slate of topics will be discussed such as Dispelling Agriculture Myths from the American Farm Bureau, a panel discussion from the congressional staffers, source water protection and farm-to-table. Ed Usset from the Minnesota Center for Farm Financial Management will be presenting "Grain Marketing is Simple." These are just a few of the topics, presentations, and activities that will occur during the two day event. Cost of registration is \$60 which includes meals and presentations.

The symposium will begin at 8:00 a.m. on September 30 with registration and end on October 1 at 2:00 p.m. ☺

Calendar of Events

| | |
|---------|--|
| Sept 1 | Office Closed |
| Sept 13 | Deadline to remove Cattle for Managed Grazing |
| Sept 16 | Deadline for '08 CAT/NAP Buy-In |
| Sept 30 | Deadline for '08 DCP Sign-Up |
| Sept 30 | Deadline to Remove Bales for Managed Haying & CFU Haying |
| Oct 1 | '09 DCP Sign-up Begins |
| Oct 15 | Deadline to remove AUM's for CFU Grazing |

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To file a complaint of discrimination, write USDA, Director; Office of Civil Rights; Room 326-W, Whitten Building; 1499 Independence Avenue, SW; Washington, D.C., 20250-9410 or call 202-720-5964 (voice or TDD).

Toole County FSA
1125 Oilfield Ave.
Shelby, MT 59474

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PERMIT No.
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: "Special accommodations will be made for the physically handicapped, vision or hearing
: impaired person upon request. If accommodation is required, please contact Bob
: Hermance, County Executive Director at the above address; call 406-434-5234; or email:
: robert.hermance@mt.usda.gov
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