



# Cheeps & Chirps

..... Points for Poultry Profitability

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## COST SHARE FOR ENERGY EFFICIENCY IMPROVEMENTS

Kentucky farm families can access new cost-share funds to help pay for energy efficiency and renewable energy projects on the farm. The Kentucky Agricultural Development Board approved a program of incentives in January for the **2012 On-Farm Energy Efficiency & Production Program**. Successful applicants can receive up to 25 percent reimbursement of the actual cost of qualified energy saving items, up to a \$10,000 maximum limit. Expenditures incurred after March 11, 2011 are eligible for consideration, but projects beginning after January 1, 2012 are given bonus scoring.

This program is a good opportunity for poultry growers who are considering items such as insulation, closing sidewall curtains, attic inlets, or tunnel inlet doors. Changing from incandescent to fluorescent or other energy efficient lighting is also an excellent cost-share item for this program. In some cases, electronic ventilation controllers, heating system changes, and automated vent doors may qualify for cost sharing. Other upgrades that reduce fuel or electricity use also could be considered.

Application forms and more information are available from the Governor's Office of Agricultural Policy

- \* online at <http://ag-energy.ky.gov/>
- \* phone: (502) 564-4627
- \* e-mail: [angela.justice@ky.gov](mailto:angela.justice@ky.gov)

cultural Engineering Department.

For more information about the UK energy audit program:

\* online at [www.bae.uky.edu/ext/energyaudit](http://www.bae.uky.edu/ext/energyaudit)

\* Contact Michael Hagan  
» Phone: 270.685.8480  
» [Michael.Hagan@uky.edu](mailto:Michael.Hagan@uky.edu)

\* Contact Doug Overhults  
» Phone: (270.365.7541 ext 211  
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Applications will be reviewed on a quarterly basis. Applications must be postmarked or returned to the Governor's Office of Agricultural Policy no later than one of the following dates in 2012: **April 30, June 30, Sept. 30 and Dec. 31**. All applications received by each deadline will be scored, ranked and awarded at the same time. Approvals are dependent on the availability of funds.

Back issues of Cheeps and Chirps, as well as other information, are available at [www.poultryenergy.com](http://www.poultryenergy.com)

Local Agricultural Development Councils and UK Cooperative Extension Service offices may be able to assist with questions, contacts, or information.

A third party energy audit or assessment is needed as part of an application. Assessments can be done by a professional engineer, a certified energy manager, gas or electric utilities, or other qualified energy management personnel. Energy audits are also available through the UK Biosystems and Agri-



It is usually cost effective to add 3-5 more inches of insulation to ceilings when the existing insulation is less than 3 inches thick.

## CHANGES IN THE FINAL GIPSA MARKETING RULES

### *From the National Chicken Council:*



GIPSA on December 9th issued four final regulations implementing portions of the 2008 Farm Bill. Although the new rules impose some limitations on how poultry dealers contract with growers, many of the more controversial aspects of the agency's June 2010 proposed rule have not been finalized. In brief, the GIPSA rules affect suspension of delivery of birds, criteria for additional capital investments, the period of time permitted for a grower to remedy a breach of contract, and arbitration. They take effect February 7, 2012.

Although Congress directed the agency to implement parts of the 2008 Farm Bill, GIPSA went beyond its statutory mandate, proposing rules that would strictly limit producers' use of tournament systems for growers, require justification for differential pricing, and make it significantly easier for a grower to prove competitive injury under the Packers and Stockyards Act. The provisions proved quite controversial, and NCC worked aggressively to oppose these provisions to make the final regulations consistent with the Farm Bill, more reasonable, and less onerous.

The new rules provide criteria GIPSA may use to determine whether a producer has violated the Packers and Stockyards Act when dealing

with a grower. The regulations are intended to present criteria, not hard-and-fast rules, but they can be expected to guide GIPSA's evaluation of a producer's dealings with a grower. The criteria fall into four categories:

- » **Suspension of delivery of birds.** The rules provide additional protection for growers before producers can suspend delivery of birds, including a requirement that a producer provide written notice at least 90 days in advance, explaining the reason for the suspension and when the grower should anticipate delivery to resume.
- » **Additional capital investments.** The rules implement special protections concerning capital improvements made to growers' facilities, generally requiring growers be given the opportunity to decline, free of coercion or retaliation, requests to make significant capital improvements to their facilities.
- » **Breach of contract remedies.** When a grower breaches a growing contract, a producer must provide a grower a reasonable period of time to remedy a breach of contract before terminating the contract.
- » **Arbitration.** All grower contracts requiring arbitration must include a specific disclaimer on the signature page allowing the grower to opt out of the arbitration clause.

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## BUILDING RESILIENT COMMUNITIES

This month's tornados caused widespread destruction across Kentucky. It will take years for some of our communities to recover. The outpouring of support across the state has been overwhelming. The importance of disaster preparedness and resilience is at the forefront of CEDIK's mind. What can a community do to be prepared for these natural disasters and how do we rebuild? There is a team of community development faculty across the country tackling this issue and creating a program that can be used in any community. The program is called "Building Resilient Communities: Strategies for Strengthening Disaster Preparation Plans." The primary purpose of the project was to gain clarity on how best to provide vulnerable households and commu-

nities with knowledge, tools, and capacity they need to effectively prepare for, and respond to, a variety of disasters. For more information, visit the SRDC website:

<http://srdc.msstate.edu/epi>

If you believe your community needs to think about this process more, please don't hesitate to contact CEDIK at:

CEDIK@lsv.uky.edu

CEDIK = Community and Economic Development Initiative of Kentucky

SRDC = Southern Rural Development Center

# KENTUCKY AG WATER QUALITY ACT INFORMATION

Anyone with 10 acres or more in agriculture or forestry production needs to have an Ag Water Quality Plan to be in compliance with the KY Ag Water Quality Act. In addition, updated plans are now required for state cost share (through Conservation Districts), NRCS-EQIP cost share, and CAIP (county ag development funds) cost share programs.

An updated web-tool has been designed to help landowners develop an Ag Water Quality Plan ([www.ca.uky.edu/awqa](http://www.ca.uky.edu/awqa)) and that website is now up and running. The web-tool includes the following features:

Background information about the KY Ag Water Quality Act (including a link to a printable brochure about the act).

Helpful hints for developing a plan, including a recorded webinar from March 5, 2012.

Electronic planning tool for developing an Ag Water Quality Plan.

Resources such as plans, drawings, and calculators to aid in the implementation of best management practices (BMPs).

Link to a printable producer's workbook if landowners prefer a paper document.

Link to the State Ag Water Quality Plan, which is the official document of the Act.

Please keep in mind that this tool, as are most websites, is a work in progress. Please email me with specific comments or suggestions regarding the tool so that we can make it better.

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## CONGRESSMAN GUTHRIE ADVOCATES FOR FAMILY FARMS

In a letter to the U.S. Secretary of Labor Hilda Solis in December of last year, Congressman Brett Guthrie (KY-2) urged her to withdraw the recent changes to the Fair Labor Standard Act, which fail to take into account the history and practices of American agriculture.

Last September, the Department of Labor (DOL) proposed new, unnecessary restrictions making it difficult for farmers to hire youth to work in agriculture. Specifically, the proposed rule mandates that children under the age of 16 working on a parent's farm could only continue to work on that farm if it is 'wholly owned' by a parent.

February 2, 2012, after concerns were raised by Congressman Guthrie, along with several other members of Congress and numerous farm groups, the DOL announced it would re-propose the rule to allow children to work on farms in which the parent is a part owner or a corporation officer of the farm. However,

the changes still do not allow for distant relatives, such as a grandchild, or outside youth to obtain employment on farms.

The revised rule would still limit the ability of the Cooperative Extension Service and vocational education programs, like those operated by 4-H, FFA, and local school districts, to offer training to rural youth.

"I have serious concerns that the proposed rule threatens the future of the agricultural industry, and ultimately our national security. Working on a family farm is a tradition that runs deep in Kentucky and across the country" Congressman Guthrie said. "Agriculture in our community also teaches children the values of hard work and responsibility, regardless of what career path they choose."

The DOL also has not identified reliable evidence and data that shows a need for these changes, and admits it lacks the data to justify many of its suggested change.

Congressman Guthrie is encouraging constituents who are concerned about the proposed rule to log onto [www.KeepFamiliesFarming.com](http://www.KeepFamiliesFarming.com) and provide a comment, send a photo or submit a video showing why they think the family farm is important.

"This issue came up during several of my 21 town halls last month, and I can think of no better way to express to Secretary Solis the value of families farming together than individuals sharing their personal stories, and photos," Congressman Guthrie said. "I hope individuals will use this opportunity to send their message directly to Washington and help preserve our way of life for the next generation of Kentucky's farmers."





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## CHANGES IN THE FINAL GIPSA MARKETING RULES ..... *continued*

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In response to the publishing of the final rule, the NCC said:

“The National Chicken Council appreciates the work of Congress to limit the final regulations to the requirements of the 2008 Farm Bill, as Congress intended, and we will work with our members to facilitate compliance with the rule when it takes effect on February 7, 2012. However, we are disappointed that the final rule still includes provisions estimated to cost the chicken industry as much as \$55.5 million annually. This is especially burdensome on an industry that has struggled financially in the face of this difficult economic climate and record-high costs of production.”

Although producers will have to adjust to the new rule, Congress' pulling back the proposed GIPSA rule to the original intent saved hundreds of millions of dollars of detrimental effects that proposal would have on the U.S. chicken industry, the U.S. economy, farm families, and farm/rural communities. Although this website concerns the chicken industry, the proposed rule would have had a severe negative impact on the turkey, hog and cattle industries as well as their customers and consumers.

[www.nationalchickencouncil.org/industry-issues/gipsa/](http://www.nationalchickencouncil.org/industry-issues/gipsa/)

## What do you want to read about?

We want to know what you want to read about.  
Please e-mail topics of interest to [Jacquie.jacob@uky.edu](mailto:Jacquie.jacob@uky.edu)