



MARCH 2010

CROOK COUNTY FSA NEWS



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County Committee:
 Mervin Peterson, Chairperson
 Larry Fowlkes, Vice Chairperson
 Ross Garman, Member
 Roxie Dacar, Minority Advisor

 Office Hours: 8:00 a.m. to 4:30 p.m.
 Monday - Friday

ELAP (EMERGENCY LOSS ASSISTANCE PROGRAM)

Nine Wyoming counties, including Crook, have been approved for assistance under the Emergency Livestock Assistance Program (ELAP) due to severe grasshopper infestation in 2009. Livestock producers who lost actual grazing days during the period of May 1 thru October 15 can receive a payment equal to 60 % of the cost of feed for the covered livestock or the value of the lost grazing whichever is smaller. Producers can also receive compensation for up to 60% of additional costs associated with providing feed for livestock. Examples of additional costs include purchasing or transporting additional feed above normal quantities.

To be eligible to receive payments under ELAP applicants must have had crop insurance or Non Insured Crop Assistance Program (NAP) coverage on all commodities on all farms in which the producer has an interest, except grazing. This requirement can be waived for socially disadvantaged, limited resource, or beginning farmers/ranchers. Eligible grazing land includes:

- State or federal land, if either of the following applies -the lessee is responsible for the upkeep of fences, wells, or other maintenance; OR the grazing land is leased for cash or fixed amount for an established grazing period.
- Privately owned, cash or share leased land.

Ineligible land includes land that is leased on a basis of weight gain; cost per head, per day or month; or on an AUM-only basis, when the lessee incurs no additional expenses for maintenance of wells, fences, etc.

Because a correction to the rules of this program is being finalized, the signup period has been reopened. If you suffered grazing losses or incurred additional cost to provide feed to your livestock due to grasshoppers, please contact us to fill out an application. No application closing date has been set at this time, but it could be as little as **14 days**, so do not delay.

If you are interested you should contact this office immediately to file/sign/complete an application. Also, there is a worksheet that will need to be completed by you. It explains what is needed and provides for data entry of loss conditions. Additionally, records to support loss claims should be provided as well.

SURE 2008 (SUPPLEMENTAL REVENUE ASSISTANCE PROGRAM)

2008 SURE provides crop disaster assistance payments to eligible producers on farms that have incurred crop production or crop quality losses in year 2008. The program takes into consideration crop losses on all crops grown by a producer nationwide.

ADJUSTED GROSS INCOME (AGI):

USDA has a Memorandum of Understanding with the Internal Revenue Service to establish an electronic information exchange process for verifying compliance with the adjusted gross income (AGI) provisions for farm

programs. Written consent will be required from each producer or payment recipient for the tax review process. No actual tax data will be included in the report that IRS sends to USDA.

The agreement ensures that payments are not issued to producers whose AGI exceeds certain limits. The limits set in the 2008 Farm Bill are \$500,000 nonfarm average AGI for commodity and disaster programs; \$750,000 farm average AGI for direct payments; and \$1 million nonfarm average AGI for conservation programs.

Participants in CCC programs subject to average AGI rules must submit form CCC-927 (Individual) and/or CCC-928 (Legal Entity) to the Internal Revenue Service by **June 15** to avoid interruption of program benefits. These forms may be obtained from local FSA and NRCS offices or online at: <http://forms.sc.egov.usda.gov/eforms/mainervlet>.

LIVESTOCK INDEMNITY PROGRAM (LIP): Be documenting when you lose livestock due to both Adverse Weather and Normal Mortality. This documentation is required for eligibility in this program. Losses due to Adverse Weather must be reported timely (within 30-days when loss is apparent). Losses due to Normal Mortality should be kept in your records and then reported when you complete your application for payment. (See January and February newsletter).

2010 NAP DEADLINE: **April 1, 2010** is the deadline to purchase a NAP policy on ALL non-insurable crops to be grown (including pasture grass for grazing) in 2010. By purchasing NAP coverage and meeting your linkage requirements, you would not only be eligible for a NAP loss payment, but also be eligible for LFP, ELAP or SURE as explained below. NAP payments are issued when an area (or county) suffers more than 50% loss.

CROP PRODUCTION REPORTS

The deadline to file your 2009 crop production is **July 1, 2010**. This deadline particularly applies to crops covered by a NAP policy. Failure to timely file crop production will result in a lower APH (Actual Production History) yield - which is the basis for when a payment is issued on a crop.

CROP REPORTS

We will begin taking crop reports in April. Crop reports ARE required for farms participating in DCP, NAP, CRP and possibly the new disaster programs of ELAP and LFP. Failure to file a crop report can jeopardize program eligibility.

We will be sending appointment cards to those producers who participate in our programs. Producers that do not participate in our programs who wish to file a crop report should contact our office and schedule an appointment to do so.

Reports must be filed by **July 1, 2010**. After this deadline there is a fee of at least \$46.00 per farm to file a crop report.

DCP (DIRECT / COUNTER CYCLICAL PROGRAM)

Signup for the 2010 Direct and Counter-cyclical Payment (DCP) Program continues until **June 1, 2010**. FSA will not accept late-filed applications.

FSA computes DCP Program payments using base acres and payment yields established for each farm. Eligible producers receive direct payments at rates established by statute regardless of market prices. For 2010, you may request to receive advance direct payments based on 22 percent of the direct payment for each commodity associated with the farm. Counter-cyclical payment for a commodity is only issued if the effective price for a commodity is below the commodity's target price.

ACRE (AVERAGE CROP REVENUE ELECTION)

The ACRE Program provides a safety net based on state revenue losses and acts in place of the price-based safety net of counter-cyclical payments under DCP. The **June 1, 2010**, signup deadline is mandatory for all participants. FSA will not accept any late-filed applications.

A payment is based on a revenue guarantee calculated using a 5-year average state yield and the most recent 2-year national price for each eligible commodity. For 2010, the 2-year price average will be based on the 2008 and 2009 crop years. Payment is issued when both the state and the farm have incurred a revenue loss. The payment is based on 83.3% (85% in 2012) of the farm's planted acres times the difference between the state ACRE guarantee and the state revenue times the ratio of the farm's yield divided by the state expected yield. The total number of planted acres for which a producer may receive ACRE payments may not exceed the total base on the farm. Participants in ACRE will forgo counter-cyclical payments. Also a farm's direct payment is reduced by 20% and marketing assistance loan rates are reduced by 30%.

The decision to enroll in the ACRE Program is irrevocable. The owner of the farm and all producers on the farm must agree to enroll in ACRE. Once enrolled, the farm shall be enrolled for that initial crop year and will remain in ACRE through the 2012 crop year.

ACTIVELY ENGAGED

USDA has amended the rules that govern the requirements to be 'actively engaged' in farming. These rules apply to eligibility for payments under the Direct and Counter-cyclical Program (DCP) or Average Crop Revenue Election (ACRE) program administered by FSA.

Normally the stockholder or a member of a legal entity **must** make contributions of active personal labor and/or active personal management for the farming operation. The contributions are to be performed on regular basis, must be identifiable, and separate from the contributions of others.

The exception to this rule for a stockholder or member of a legal entity only occurs if both of the following apply:

- At least half of the interest in the legal entity is held by stockholders or members who are providing active personal labor or active personal management; and
- The total direct payments received, both directly and indirectly, by the legal entity and each of the members can not exceed \$40,000.

LIVESTOCK PROGRAM INFORMATION

LFP (Livestock Forage Program): Provides a monthly feed payment during periods of drought. The drought monitor is the trigger. You can view the drought monitor at http://www.drought.unl.edu/dm/DM_state.htm? Depending on drought severity, payments of up to three months worth of feed costs may be paid. A payment rate of \$40.04 per cow per month applied in 2009. To be eligible for LFP rangeland must either be insured with crop insurance or with FSA under a NAP policy.

NAP as explained in the above article can provide benefits for rangeland and other "grazing" crops damaged or destroyed by natural disaster events such as drought or hail, and now for 2010 – grasshoppers. Purchase deadline is **April 1st**.

ELAP: Provides benefits for losses that are not covered under other disaster assistance programs such as LFP, LIP and SURE. Losses must be related to an eligible adverse weather event or loss condition. Currently, we are in a signup period.

LIP: Provides benefits for livestock death losses related to an eligible adverse weather event.

Have a nice day, *Mike Adler*



Important Dates to Remember

April 1, 2010	Application Deadline for All NAP Crops
May 31, 2010	Memorial Day – Office Closed
Currently in a signup	SURE 2008 for crop losses
Continuous and Timely	Document Livestock Losses due to Adverse Weather and due to Normal Reasons
Within 30 days	File Notice of Loss on Livestock Losses when Loss is Apparent (Due to Adverse Weather Event)
Continuous	Report Adverse Weather Conditions and Affect on your Operation
June 1	DCP / ACRE signup deadline
June 15	Deadline to Submit Forms to IRS
July 1	Crop Report Deadline / 2009 Crop Production deadline

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