

Lincoln County Newsletter

February 2010



2010 Direct & Counter-cyclical Program (DCP) Signup

The Direct and Counter-Cyclical Program (DCP) Signup for 2010 DCP contracts is now available and will run until **June 1, 2010**. All producers on the farm must sign the application (CCC-509) by June 1, 2010 for the farm to be enrolled for the 2010 payment. Each eligible producer on a farm will be given the opportunity to annually enroll in a DCP or Average Crop Revenue Election (ACRE) program contract.

Advance payments may be made any month throughout the year prior to October 1, 2010, at 22 percent of the total payment. Counter-cyclical payments are only authorized when the effective price for the commodity is less than the target price of the commodity. All farmers who produce a crop on base acres are entitled to share in the DCP payment. Landowners who do not have an interest in the crop are not eligible to receive a share of the DCP Payment.

2010 ACRE Signup

The Average Crop Revenue Election (ACRE) is a program that offers producers an alternative to Direct and Counter-cyclical (DCP) payments. The optional 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. A farm's 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 the 2010 crop, the 2-year price average will be based on the 2008 and 2009 crop years.

An ACRE payment is issued when both the State and the farm have incurred a revenue loss. The payment is based on 83.3 percent (85 percent 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. In exchange for participating in ACRE, in addition to not receiving counter-cyclical payments, a farm's direct payment is reduced by 20 percent, and marketing assistance loan rates are reduced by 30 percent.

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. ACRE signup continues until **June 1, 2010**.

Livestock Indemnity Program

The Livestock Indemnity Program (LIP) provides assistance to producers for livestock deaths that result from a natural disaster. LIP compensates livestock owners and contract growers for livestock death losses in excess of normal mortality. Eligible losses must have occurred on or after Jan. 1, 2008, and before Oct. 1, 2011. The losses must be a direct result of an adverse weather condition, including but not limited to hurricanes, floods, blizzards, disease, wildfires, extreme heat and extreme cold, & lightning. Note that drought is not a qualifying event. Eligible livestock are adult/non-adult cattle, buffalo and beefalo, equine, sheep, alpacas, emus, swine, goats, llamas, poultry and domestic elk, deer and reindeer. Ineligible livestock include animals that died as a result of disease not related to adverse weather, malnutrition or poor handling practices. Payment rates are per head by livestock kind/type and weight range.

Final Date to File a Notice of Loss: 30 Days after death is apparent.

Final Date to File Application: 30 Days after the end of the calendar year that the loss occurred, January 30, 2011 is the deadline for 2010 losses.

Lincoln County
FSA Office
625 S Washington
PO Box 369
Afton, WY 83110

Phone: (307) 886-9001
FAX: (307) 886-3744

www.fsa.usda.gov

Office Hours:
7:30 a.m. – 4:30 p.m.

County Committee:
Jason Thornock
Chad Dana
Blair Hillstead
Trudi Julian
– Minority Advisor

COC Meeting:
2nd Tuesday of the month

Office Staff
Dee Harbach
Suellen Bagley
Kresta Hedges

Farm Loan Manager
Brian Harrell
307-856-7524

Payment Limitation Reminder

Payments and benefits under certain programs are subject to some or all of the following:

- payment limitation by direct attribution
- payment limitation amounts for the applicable programs
- actively engaged in farming requirements
- cash-rent tenant rule
- foreign person rule
- average AGI limitations

No program benefits subject to limitation will be provided until:

- all required forms for the specific situation are provided
- necessary payment eligibility and payment limitation determinations are made

Payment eligibility and payment limitation determinations may be initiated by COC or requested by the producer.

After 2009, a farm operating plan is **not** required to be filed annually, if the farming operation continues to be conducted as reflected on the farm operating plan and supporting documents are on file in the County Office. If any changes occur that could affect an actively engaged in farming, cash-rent tenant, foreign person, or average AGI determination, producers must timely notify the County Office by filing revised farm operating plans and/or supporting documentation, as applicable.

Note: Failure to timely notify the County Office may adversely affect payment eligibility.

There are statutory provisions that require entities, earning program benefits that are subject to limitation, to provide the names, addresses, and TIN's of the entities' members to COC. All applicable payment eligibility and payment limitation forms submitted by producers are subject to spot check through the end-of-year review process.

A determination of **not** actively engaged in farming results in the producer being ineligible for any payment or benefit requiring a determination of actively engaged in farming.

Noncompliance with AGI provisions, either by exceeding the applicable limitations or by failure to submit a certification statement, will result in the determination of ineligibility for **all** program benefits subject to AGI provisions; 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 that receives benefits subject to the average AGI limitations.

Applicable annual limitations for person or legal entity, years 2009-2012:

Commodity Programs:	Counter Cyclical and ACRE payments	\$65,000
	Direct payments	\$40,000
Conservation Programs:	CRP annual rental	\$50,000
	EQIP (all years 2009-2012)	\$300,000
	GRP	\$50,000
	WHIP	\$50,000
	WRP	\$50,000
Disaster Assistance Programs:	ELAP/LFP/LIP/SURE	\$100,000
	NAP	\$100,000
LDP/MAL		No Limits

Spousal Signatures

Husbands and wives can sign FSA and CCC program documents on behalf of each other for programs in which either has an interest, unless written notification denying a spouse this authority has been provided to the County Office. Spouses may not grant Power of Attorney or sign claim settlements for each other. Spouses may not sign on behalf of the other as an authorized signatory for partnerships, joint ventures, corporations, or other similar entities.

Farm Record Changes

In order for us to accurately administer farm programs it is very important that we have current records of all owners and operators. If you have bought, sold or are renting different land, make sure you report those changes to this office, as soon as possible after they occur. Failure to maintain accurate records with FSA on all land you have an interest in can lead to possible program ineligibility and fines.

Reasonable Accommodations

Special accommodations will be made, upon request, for individuals with disabilities, vision impairment, or hearing impairment. If accommodations are required, please call Dee Harbach at 886-9001.

Farm Storage Facility Loans Available

Low cost loans for storage facilities are available to build or remodel farm storage facilities for a variety of commodities, including barley, oats, wheat, hay, and renewable biomass .

Farm Storage Facility Loans are available for the purchase and installation of eligible storage facilities, permanently affixed drying and handling equipment or the remodeling of existing facilities. Eligible facilities include but are not limited to: new conventional-type cribs or bins and new or remanufactured oxygen-limiting and other upright silo-type structures.

The terms for loan amounts are as follows:

- \$100,000 or less the term is 7 years only
- \$100,000.01 to \$250,000, the borrower can specify 7 or 10 years
- \$250,000.01 to \$500,000, the borrower can specify 7, 10, or 12 years

To be eligible for a Farm Storage Facility Loan, the borrower must:

- be a producer of a facility loan commodity
- demonstrate a need for increased storage capacity
- show the ability to repay FSFL through the financial analysis process
- meet all other eligibility requirements.

All Farm Storage Facility Loans are secured by a promissory note and security agreement. The maximum amount that may be borrowed is 85 percent of the net cost of the storage or handling equipment, up to \$500,000 for each borrower. A minimum down payment is also required and multi-peril crop insurance coverage for all crops. The interest rate changes monthly so please contact our office.

Lincoln County Producers Receive Over \$150,000 in Benefits

Livestock Forage Program (LFP) benefits totaling \$184,643 were paid to 10 producers in Lincoln County. Producers become eligible for LFP assistance when the county experiences a qualifying drought, indicated by the US Drought Monitor **and** have purchased NAP grazing coverage for that crop year. Do you have NAP coverage for 2010?

New IRS Forms

To remain eligible for payments received in 2009 and payments for 2010, producers must complete new IRS forms and mail these forms to the IRS. The forms are available at our office. These forms give the IRS consent to notify the USDA if the average Adjusted Gross Income (AGI) is above or below the eligibility requirements for farm program payments.

Important: These forms must be filed to remain eligible for payments already received in 2009 and to continue receiving payments in 2010. Please contact us to obtain a form.

FARM SERVICE AGENCY
LINCOLN COUNTY FSA
625 WASHINGTON, Suite A
PO BOX 369
AFTON, WY 83110

IMPORTANT DATES TO REMEMBER

Within 15 days of noticing a loss file CCC - 576 NAP Notice of Loss	
Within 30 days of noticing a livestock loss file FSA-914 LIP Notice of Loss	
February 15 -----	Office closed – George Washington Day
April 1 -----	Application deadline for 2010 NAP coverage
Any Time -----	Continuous CRP
Any Time -----	Farm storage facility loan program

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited based apply to all programs.) Persons with disabilities who require alternative means of communication or program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (Voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.