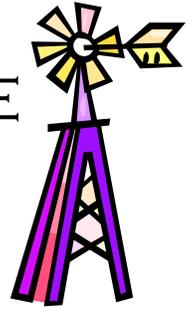




# NATRONA/CONVERSE COUNTY WINDMILL



APRIL 2011

## 2011 DCP Signup

Enrollment for the 2011 Direct and Counter-cyclical Program (DCP) has begun and will continue through June 1, 2011. USDA urges producers to make use of the eDCP automated website to sign up, or producers can visit any USDA Service Center to complete their 2011 DCP contract.

USDA 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 2011, eligible producers may request partial direct payments as an advance on the total amount.

## Acreage Reporting

The acreage reporting deadline is **July 1**. Filing an accurate acreage report for all crops and land uses, including failed acreage and prevented planting acreage, can prevent the loss of benefits for a variety of programs.

Failed acreage must be reported within 15 days of the disaster event and before disposition of the crop. Prevented planting must be reported no later than 15 days after the final planting date.

Some programs that require a crop report for benefits are: **DCP/ACRE, NAP, LFP, ELAP, LDP/MAL and CRP**. If you are participating or plan on participating in any of these programs, acreage reports are to be certified by **July 1st**. Even if you are not currently participating in any USDA programs, it is good idea to complete a crop report. We would love to meet you.

## SURE – 2009 and Later

The Supplemental Revenue Assistance Program (SURE) provides benefits for farm revenue losses due to natural disasters. **SURE sign up for crop year 2009 losses runs from Jan. 10 to July 29, 2011. Deadlines for 2010 and 2011 crop years will be announced later.**

To be eligible for SURE payments, a producer is required to obtain crop insurance on all crops in all counties or, if crop insurance is not available, to participate in the Non-Insured Assistance Program (NAP) except for grazed acreage. This requirement does not apply for

crops that are not of economic significance or where the administrative fee required to buy NAP coverage exceeds 10% of the value of the crop coverage.

Eligible farmers and ranchers who meet the definition of Socially Disadvantaged, Limited Resource, or Beginning Farmer or Rancher are exempt from the risk management purchase requirement.

The following conditions are required to trigger SURE payments:

- at least one crop of economic significance must suffer a 10% production loss due to an eligible disaster condition
- crop of economic significance is a crop that has contributed or would have contributed at least 5% or more of the total expected revenue from all crops on the farm
- producers in counties declared disaster counties by the Secretary of Agriculture, or in contiguous counties, or those who show proof of an individual loss of at least 50% are eligible to receive SURE payments for crop production or crop quality losses. Losses are measured with consideration to the whole-farm revenue, which includes crop insurance indemnities and commodity program payments, so that producers are not paid more than once for the same loss.

Note that due to the need to wait for end of year market price data to make SURE final calculations, SURE assistance payments lag the crop year's end by one full year.

If you would like additional clarification call or stop by your local FSA office.

Natrona/Converse  
County FSA  
5880 Enterprise Dr Ste 100  
Casper, WY 82609  
(307) 261-5436  
or  
Toll Free 1-866-596-4478

Office Hours:  
Monday - Friday  
8:00 am – 4:30 pm  
[www.fsa.usda.gov](http://www.fsa.usda.gov)

### County Committee

Jared Vollman – Chair  
Leslie Hendry – Member  
Neil Forgey – V. Chair  
Phil Johnson - Member

### Staff

Sue Willey – CED  
Wanda McLean – PT  
Deena McDaniels – PT  
Dave Lengle – FLM

Douglas USDA Service  
Center  
911 S. Windriver Dr.  
Douglas, WY 82633  
(307) 358-3050

## 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 when 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 payment received by the legal entity and each of the members does not exceed \$40,000.

## Adjusted Gross Income

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 for the IRS to verify AGI compliance will be required from each producer or payment recipient. 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 for years 2009 and 2010. These forms may be obtained from local FSA and NRCS offices or online at: <http://forms.sc.egov.usda.gov/eforms/mainservlet>.

## BCAP – Two Phases

There are two categories of assistance in the Biomass Crop Assistance Program (BCAP). The first category provides financial assistance to producers or entities that deliver eligible biomass material to approved biomass conversion facilities (BCF) for use as heat, power, bio-based products or bio-fuels. Initial assistance will be for the collection, harvest, storage and transportation (CHST) costs associated with the delivery of eligible materials.

Producers who harvest, transport and store these materials can apply for FSA matching payments under the CHST. An application must be submitted before the eligible material is sold and delivered to a BCF. After the product is delivered, a producer must provide FSA with documentation of product quantity, quality and payment rate. County offices will validate payment requests with information in the county office.

In the second category of BCAP, incentives are provided to producers who enter into contracts with the Commodity Credit Corporation (CCC) to produce eligible biomass crops on contract acres within BCAP project areas. For this phase, Project Area Proposals are required and must be submitted to FSA for review and approval. For more information, visit [www.fsa.usda.gov/bcap](http://www.fsa.usda.gov/bcap).

## Foreign Buyers Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program for USDA. All individuals who are not U.S. citizens, and have purchased or sold agricultural land in the county are required to report the transaction to FSA with 90 days of the closing. Failure to submit the AFIDA form (FSA-153) could result in civil penalties of up to 25 percent of the fair market value of the property. County government offices, realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

## Power of Attorney

For those who find it difficult to visit the county office personally because of work schedules, distance, health, etc., FSA has a power of attorney form available that enables you to designate another person to conduct your FSA business. If you are interested, please contact our office or any Farm Service Agency office near you for more information.

## Appeal Process

After an FSA official makes a decision on your request for USDA services or application, you will be sent a letter informing you of the decision and options you can pursue if you disagree.

Generally, program participants have three choices — an informal review with the original agency decision-maker, an opportunity for mediation and finally an appeal to the next level of authority within the agency.

## Hispanic and Women Farmers

A process to resolve the claims of Hispanic and women farmers and ranchers who believe they were discriminated against when seeking USDA farm loans has been established. If you believe that the United States Department of Agriculture (USDA) improperly denied farm loan benefits to you between 1981 and 2000 because you are Hispanic, or because you are female, you may be eligible for compensation.

To register for a claims package or for additional information on this and other settlement issues contact:

### Hispanic and Women Farmer Claims Process:

[www.farmerclaims.gov](http://www.farmerclaims.gov) or call 1-888-508-4429

### Pigford – The Black Farmers Discrimination Litigation:

[www.blackfarmercase.com](http://www.blackfarmercase.com) or call 1-866-950-5547

Keepseagle - The Native American Farmers Class Action Settlement: [www.IndianFarmClass.com](http://www.IndianFarmClass.com) or call 1-888-233-5506.

## Risk Management Purchase Requirement (RMPR)

Most 2008 Farm Bill disaster assistance programs require a Risk Management Purchase Requirement (RMPR) to be eligible for participation. In most cases, RMPR applies to the whole “farm” that is, **all farming/ranching interests in all counties in all states on all insurable crops** excluding grazed acres. NAP insurance on non-insurable crops (native grass hay etc.) must be purchased and insurable crops must have at least Catastrophic (CAT) level of coverage. (alfalfa hay can be covered with CAT)

If you missed the sales closing date for crop insurance or NAP and otherwise qualify for disaster assistance programs, FSA procedure allows you, the producer, to request equitable relief. For equitable relief to be considered by the State Committee, the producer must have made a good faith effort to comply with RMPR requirements. Producers who failed to meet RMPR requirements for any of the following reasons will not be granted equitable relief

- Intentionally chose not to insure a covered crop under crop insurance or NAP
- Lack of good faith in reporting acreage and/or production
- Ineligibility determinations under RMA or NAP regulations
- Inability to insure acreage because of not paying premiums with crop insurance in a prior year
- Highly erodible and/or wetland, controlled substance violations

Authorized waivers for RMPR are:

- *De Minimis Waiver* - The crop that did not have crop insurance is **not** economically significant. Economically significant means any crop that contributed, or is expected to contribute, 5 percent or more of the total expected value of all crops grown by the producer. Crops that add less than 5 percent of the total revenue will meet the waiver requirement.
- *Equitable Relief Waiver* - The program provides for special consideration of equitable relief in 2009 to eligible producers who failed to meet 2009 RMPR for SURE. The Wyoming State Committee, after a recommendation from the County Committee may grant relief of the RMPR when the:
  1. producer met all other SURE requirements, including filing a timely application, but inadvertently did not obtain NAP or insurance coverage for a crop (*Producers will be required to submit evidence supporting a conclusion that failure to obtain coverage was inadvertent or accidental.*), and
  2. State Committee finds that the producer acted in good faith and did not intentionally fail to obtain NAP coverage or insurance, as may be applicable.

If equitable relief is granted the producer will be required to pay the “buy-in” fee in an amount of \$250 per crop to cover an administrative fee and will be determined eligible for SURE payments.

Natrona/Converse CO FSA  
5880 Enterprise Dr. Ste 100  
Casper, WY 82609

The next County Committee Meeting is May 23, 2011 at 1:00 PM at the County Office in Casper. Election ballots from LAA 3 will be counted and the meeting is open to the public.

*//Signed//* Donna Sue Willey  
County Executive Director

***IMPORTANT DATES TO REMEMBER***

<b>May 18, 2010</b>	<b>Deadline to submit LAA # 3 ballots</b>
<b>May 30, 2010</b>	<b>Memorial Day – Office Closed</b>
<b>June 1, 2010</b>	<b>Deadline to complete DCP Contract</b>
<b>June 1, 2010</b>	<b>Deadline to sign-up for ACRE</b>
<b>June 1, 2010</b>	<b>Deadline to provide production evidence for ACRE</b>
<b>July 1, 2010</b>	<b>Deadline to file Crop Report</b>
<b>July 1, 2010</b>	<b>Deadline to provide production evidence for NAP</b>
<b>30 Days after loss is apparent</b>	<b>Deadline to submit a Notice of Loss for ELAP or LIP</b>

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of 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 to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Special Accommodations will be made for the physically handicapped, vision- or hearing-impaired person upon request. If accommodations are required, please call Sue Willey, CED at (307)261-5436.

