



**United States Department of Agriculture**  
**Niobrara County Service Center**

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**July 2010**

**2010 FSA County Committee Elections**

Nominations for the 2010 Niobrara County FSA committee election will be accepted through August 2nd. FSA county committees are elected by local agriculture producers to administer USDA farm programs at the county level. The committee election this year will be held for Local Administrative Area 3, which covers the southeastern portion of the county. A list of persons who are eligible to run for the county committee is available from this office. If you wish to run or want to nominate a fellow producer for the county committee, please contact this office for a nominating petition. If no nominations are received, the Secretary of Agriculture will complete the slate of nominees. To hold office as a county committee member, a person must meet basic eligibility requirements. For a list of the requirements you may contact the office or visit the website: <http://www.fsa.usda.gov/FSA>.

**NAP Loss Filing**

The CCC-576, Notice of Loss, is used to report failed acreage and prevented planting **and may be completed by any producer with an** interest in the crop. The timely filing of a Notice of Loss is required for ALL CROPS INCLUDING GRASSES. For losses on crops covered by the Non-insured Crop Disaster Assistance Program (NAP) and crop insurance, you must file a CCC-576 (notice of loss) in the FSA County Office within 15 days of the date of the disaster or when losses becomes apparent.

**Highly Erodible Land Conservation (HELCS) and Wetland Conservation (WC) Certification**

Most FSA programs require compliance with sodbuster and swampbuster provisions. The Sodbuster provisions require producers to follow an approved conservation plan on all highly erodible land, as determined by the Natural Resources Conservation Service (NRCS), planted to an annual crop in which the producer has an interest. If you plan to plant a different crop on your current cropland, check with NRCS to assure the new crop will qualify under your conservation plan. If you will be breaking up new land or old cropland that has gone back to permanent grass cover, you must contact this office prior to planting a crop. To remain in compliance with sodbuster provisions you must file a revised form AD-1026. We will then delineate the "field" boundary and refer the new land to NRCS for a determination. If the land is determined to be highly erodible you must comply with the conservation plan developed by NRCS. Producers who violate sodbuster provisions risk becoming ineligible for program benefits through USDA. If you will be breaking out new land you must contact FSA first to start the compliance paperwork.

Swampbuster provisions state that converting a wetland to make possible the planting of a crop will result in the loss of all USDA benefits. To avoid this possibility it is strongly recommended that producers check with NRCS before starting to work.

### **Conservation Reserve Program (CRP) – Transition Incentives Program**

The Transition Incentive Program (TIP) provides annual rental payments for up to two additional years after the date of the expiration of the CRP contract, provided the CRP land is transitioned from a retired or retiring owner or operator to a beginning or socially disadvantaged farmer or rancher that returns the land to production for sustainable grazing or crop production.

Enrollment in TIP is on a continuous basis. Beginning or socially disadvantaged farmers and ranchers and CRP participants may enroll in TIP beginning one year before the expiration date of a CRP contract. For CRP contracts expiring Sept. 30, 2010, TIP enrollment must occur by Sept. 30, 2010.

The retired or retiring owner or operator must agree to sell, or have a contract to sell, or agree to lease long-term (at least 5 years) the land enrolled in an expiring CRP contract to a beginning or socially disadvantaged farmer or rancher. The retired or retiring owner or operator must agree to permit the beginning or socially disadvantaged farmer or rancher to make conservation and land improvements according to an approved conservation plan.

***Retired or retiring owner or operator*** means an owner or operator of land enrolled in a CRP contract that has ended active labor in farming operations as a producer of agricultural crops or expects to do so within 5 years of the CRP contract modification.

***Beginning farmer or rancher*** means, as determined by CCC, a person or entity who has not been a farm or ranch operator for more than 10 years; materially and substantially participates in the operation of the farm or ranch involved in CRP contract modification; and if an entity, is an entity in which 50 percent of the members or stockholders of the entity meet the first two criteria.

***Socially disadvantaged farmer or rancher*** means a farmer or rancher who is a member of a socially disadvantaged group whose members have been subjected to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities. Gender is not included.

### **General CRP Signup Not Announced**

USDA has not yet announced a General CRP Signup as of the date of this newsletter. We will notify all producers when a signup is announced.

### **Reminder for Expiring Contracts**

CRP contracts that are expiring on September 30 cannot be hayed or grazed until October 1, 2010.

### **Farm Loan Program**

The FSA offers loans for farmers and ranchers to purchase farmland and finance agricultural operations. FSA loan programs are designed to help producers who are temporarily unable to obtain private or commercial credit. In many cases, applicants are beginning farmers who have insufficient net worth to qualify for financing through a commercial lender. In other instances, borrowers might have suffered setbacks from natural disasters or might be persons with limited resources.

Farm ownership loans or farm operating loans may be obtained as direct loans up to a maximum of \$300,000. Guaranteed loans can reach a maximum of \$1,112,000. Emergency loans are always direct loans for farmers who may have suffered physical or production losses in disaster areas designated by a Presidential or Secretarial disaster declaration. Rural Youth Loans, Loans to Beginning Farmers and loans for socially disadvantaged applicants are also available through FSA.

FSA has a number of loan programs available to assist applicants to begin or continue in agriculture production. Loans are available for operating type loans and/or purchase or improve farms or ranches. While all qualified producers are eligible to apply for these loan programs, the FSA has provided priority funding for members of Socially Disadvantaged Applicants. A socially disadvantaged applicant is one of a group whose members have been subjected to racial, ethnic or gender prejudice because of his or her identity as members of the group without regard to his or her individual qualities.

## Commodity Loans and LDP's

The 2010 commodity loan rates for Niobrara County are:

- Wheat-HRS \$3.64/Bu.
- Wheat-HRW \$2.47/Bu.
- Corn \$1.99/Bu.
- Barley \$1.91/Bu.
- Oats \$1.32/Bu.

Eligible producers of these crops can obtain a loan or Loan Deficiency Payment (LDP) from FSA. The producer must have beneficial interest in order to receive a loan/LDP. Beneficial interest means the grower has (1) control of the commodity, and (2) title of the commodity.

**FARM STORED LOAN:** An applicant can request either a paid for measured loan or certify the quantity. In either case, a loan for up to 100% production can be made. The commodity must be stored in a structure that can be safely measured and inspected, and be structurally sound. It is the borrower's responsibility to assure the commodity is in good condition and continues to remain so.

**WAREHOUSE LOAN:** A warehouse grain loan can be obtained through a warehouse. The elevator will issue warehouse receipts to the producer, who, in turn, gives them to CCC (FSA) for keeping as security through the life of the loan. The information on the warehouse receipts will be the basis for the loan quantity and loan rate.

**LOAN MATURITY DATE:** Loans will mature on the last day of the 9th month following application.

**LOAN SERVICE FEES:** Fees are the smaller of ½ of 1% times the gross loan amount, or \$45/loan plus \$3.00 for each bin or warehouse receipt over one.

**INTEREST RATES:** Commodity loans will carry the interest rate of the month in which the loan is disbursed through December 31 of each year, at which time the rate will change to the January rate.

**LIENS:** If any liens on the commodity exist, we require that the lien holder complete a lien waiver form before the loan is issued. CCC requires first lien on any commodity put under loan.

**REPAYMENTS:** Repayments can be made any time after the loan is disbursed. On farm-stored loans, any quantity can be paid off; however, on warehouse loans, a whole warehouse receipt must be paid off. At the time of repayment, the borrower will pay the lesser of (1) principal plus accrued interest, or (2) the applicable day's Posted County Price (PCP) times the loan quantity. The second option is referred to as a Market Loan Repayment (MLR) and is only available through the maturity date of the loan.

**LOAN DEFICIENCY PAYMENT:** A LDP is a payment made to an eligible producer who agrees to forego a loan in return for a direct payment. In order for a LDP to apply, the daily PCP must be below the loan rate for the applicable commodity. FSA currently uses the CCC-633-EZ form for all LDP purposes. It's a one size fits all form you can fill out to indicate your intention to receive loan deficiency payments for any of your crops at the beginning of the crop year, long before you've lost beneficial interest. The same form is then used to submit a request for an LDP any time during the loan/LDP availability period before or after losing beneficial interest.

Commodities harvested as other than grain (hay, silage) are eligible for LDP. In these cases, you will be required to give us information concerning acreages, bale numbers and weights, load weights, crop appraisal information, and yield estimates.

**APPLICATION DEADLINES:** The deadline to apply for either a 2010 loan or LDP is:

Wheat/Barley/Oats March 31, 2011

Corn/Sunflowers May 31, 2011

Wool/Mohair January 31, 2011

## Special Accommodations

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact the county FSA office staff directly or by phone.

**Farm Service Agency (FSA) & Risk Management Agency (RMA)**

The RMA (Risk Management Agency) and FSA work together to prevent fraud, waste, and abuse of the Crop Insurance Program. FSA will again be assisting RMA and insurance providers in monitoring crop conditions throughout the growing season. FSA will refer all suspected cases of fraud, waste and abuse of Crop Insurance Program to RMA. Producers may report suspected cases of fraud, waste, and abuse to their local FSA County Office, RMA office, or Office of Investigative General (OIG). FSA will also assist with auditing claims with RMA.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program 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 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.

<b>Important Dates to Remember</b>	
August 2	Final Day to request 2010 Reconstitutions
August 2	COC Nomination Period Ends
September 6	Labor Day Holiday Office Closed
Continues	Farm Storage Facility Loans
Continues	Continuous CRP Signup

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