



# NEWSLETTER



## Niobrara County Service Center

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### Niobrara Conservation District

#### *Board Members*

Terry Browder

Matt Dockery

Kevin Gaukel

Mark Groh

Dale Jordan

#### *Staff*

Lisa Shaw

Heidi Sturman

### Natural Resources Conservation Service

#### *Staff*

Robin Allen

JoAnn Wade

### Farm Service Agency

#### *County Committee*

Bryan Bruch

Monty Finley

Robert Freeman

#### *Advisor*

Carol Geisinger

#### *Staff*

Tommy Stephens, CED

Kimberly Nusbaum, PT

David Lengel, FLM

February 2012

### County Committee Election Results

Congratulations to Robert Freeman, who was re-elected to represent farmers from LAA 3 on the COC. Robert was elected to his second consecutive term. We appreciate all the voters who took the time to participate in the election.

The committee set the third Thursday of the month at 11:30 am for their normal meeting date. Due to budget constraints, we will be limited to 4 meetings in 2012. If you want to attend a meeting, please call for the date.

### CRP Signup Announced

Conservation Reserve Program (CRP) general signup will begin March 12 and continue through April 6. During the signup period, farmers and ranchers may offer eligible land for CRP's competitive general signup at their nearest FSA office. Land currently not enrolled in CRP may be offered in this signup provided all eligibility requirements are met. Additionally, current CRP participants with contracts expiring this fall may make new contract offers. Contracts awarded under this signup are scheduled to become effective Oct. 1, 2012. FSA will evaluate and rank eligible CRP offers using an Environmental Benefits Index (EBI) and cost factors. The EBI consists of the five specific environmental factors of 1) wildlife, 2) water, 3) soil, 4) air and 5) enduring benefits. Decisions on the EBI cutoff will be made after the sign-up ends and after analyzing the EBI data of all the offers. More information can be found online at: [www.fsa.usda.gov/crp](http://www.fsa.usda.gov/crp)

### CRP Reminders

Producers with Conservation Reserve Program (CRP) contracts are reminded that it is your responsibility to establish cover and control the weeds and insects on your CRP acreage. Grasshopper infestations have been increasing in recent years and CRP participants may contact the Niobrara Weed and Pest if you have concerns or questions about insect control on CRP.

**ANY UNAPPROVED GRAZING OF CRP ACREAGE IS A VIOLATION THAT IS SUBJECT TO A PENALTY AND CAN RESULT IN TERMINATION OF THE CONTRACT.**

### NAP Enrollment

The deadline to purchase Noninsured Crop Disaster Assistance Program (NAP) coverage for spring seeded crops is April 1, 2012. To maintain eligibility for several FSA disaster assistance programs, producers must obtain crop insurance or NAP coverage before a disaster strikes. NAP provides coverage to producers for non-insurable crops when low yields or prevented planting occur due to natural disasters. More information may be found on the FSA web site located at [www.fsa.usda.gov](http://www.fsa.usda.gov)

### **2012 Direct & Counter-cyclical Program (DCP) Signup**

Signup for the 2012 DCP/ACRE enrollment is underway. Please call to set up an appointment. June 1, 2011, is the deadline for all ACRE and DCP participants. **Advance payments are not authorized for 2012.**

The Average Crop Revenue Election Program (ACRE) 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. An ACRE payment is issued when both the state and the farm have incurred a revenue loss. In exchange for participating in ACRE, 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.

### **Supplemental Revenue Assistance Payments (SURE) Program**

Signup for the SURE Program for 2010 crop losses is underway. Please call for an appointment. The signup goes through June 1, 2012. SURE is available to eligible producers on:

- Farms in counties with Secretarial disaster declarations, including contiguous counties that have incurred crop production losses and/or crop quality losses during the crop year. (Laramie County is eligible for the 2010 crop year as a bordering county received a Disaster Designation.)
- Any farm in which, for the crop year, the actual production on the farm because of disaster-related conditions is 50 percent or less than the normal production of the farm.

At a minimum, to be eligible for the SURE Program, the producer must have purchased or be enrolled in the following for the 2010 crop year:

- A plan of crop insurance of at least catastrophic (CAT) level for all insurable crops on all farms.
- And/or Non-insured Crop Disaster Assistance Program (NAP) coverage for all non-insurable crops on all farms.

Note: RMA crop Insurance or NAP coverage on grazing land does not have to be purchased in order to be eligible for SURE. SURE does not pay for losses on crops intended for grazing.

In order to receive payments, the farm must suffer at least a 10% eligible production loss on at least one crop of economic significance. Producers with qualifying losses are eligible to receive 60% of the difference between the SURE Disaster Program Guarantee and the actual farm revenue.

### **Highly Erodible Land Conservation and Wetland Conservation**

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.

### **Controlled Substance**

Any person who is convicted under federal or state law of a controlled substance violation could be ineligible for USDA payments or benefits. Violations include planting, harvesting or growing a prohibited plant. Prohibited plants include marijuana, opium, poppies and other drug producing plants.

### **Special Accommodations**

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

### **County Office Committee Minutes Available to the Public**

The minutes to the regular session of all County Office Committee (COC) meetings are available to the public in the county office.

### **Get GovDelivery – Instant News, Updates**

Farm Service Agency offices are adopting an instant delivery, electronic option. Producers can now enroll in the new GovDelivery system which will provide notices, newsletters and reminders via email, rather than costly paper copies delivered through the mail. FSA, like many other organizations, is working smarter and more efficiently. Conversion to electronic notifications via email helps conserve resources and save taxpayer dollars.

County Committee ballots will continue to be mailed to all eligible producers. Subscribe right now to receive your free e-mail updates instantly by going to [www.fsa.usda.gov/subscribe](http://www.fsa.usda.gov/subscribe).

### **Reminder to NRCS and FSA Program Participants**

All participants in NRCS and FSA programs are required to annually file eligibility forms with the FSA office. Any person, entity or entity member applying for program benefits MUST file a CCC-931 Average Adjusted Gross Income Statement with the IRS to be in compliance for Fiscal Year 2012. The CCC-931 replaces the CCC-927 and CCC-928 documents. Submission of FSA-931 to the IRS will now be completed by FSA. We are asking many of you to re-complete the FSA-931 for 2009, 2010 and/or 2011 because they were not filled out exactly to IRS's liking.

The form AD-1026 Highly Erodible Land Conservation and Wetland Conservation Certification is also a required form for both NRCS and FSA program applicants. If you are applying for benefits through NRCS or FSA be sure to complete these eligibility documents along with any other paperwork that might be necessary through FSA.

### **Attention All Buyers of Agricultural Products**

It is required that buyers of agricultural products check or register with the Secretary of State's Office to determine if there are liens against the seller of the product. If a lien is found you are required to place the lien holder's name on the check as well as that of the seller. Ag products include but are not limited to: Livestock (including horses), crops used for feed (hay, silage, oats, etc.), machinery, equipment, and all other crops. Failure to place the lien holder's name on the check may result in civil legal action being taken against the buyer of the product. Protect yourself as a buyer! You may contact the Secretary of State's Office at (307) 777-7311.

### **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.

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.

### **IRS Form 1099-G**

Producers annually receive their CCC-1099-G forms detailing payments producers have received from the Commodity Credit Corporation. The annual report of program payments on the CCC-1099-G form is a service intended to help our customers report taxable income. It is not intended to replace the producers' responsibilities to report income to IRS. FSA staff cannot interpret IRS regulations or advise producers about which payments to report on their income tax returns. However, county office staff can review payments for accuracy.

### 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

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

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.

Important Dates to Remember	
February 20	President's Day Holiday – Office Closed
March 15	Final day to sign-up for Multi-peril or Federal Crop Insurance
April 1	Final day to apply for NAP for spring seeded crops
April 6	Final day to apply for CRP
Within 15 days of noticing Loss	File CCC - 576 NAP Notice of Loss

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