



NEWSLETTER



Niobrara County Service Center

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LIVESTOCK INDEMNITY PROGRAM

The Livestock Indemnity Program (LIP) provides compensation to eligible livestock producers who have suffered livestock death losses in excess of normal mortality due to adverse weather and attacks by animals reintroduced into the wild by the federal government or protected by federal law. Producers who suffer losses must file a notice of loss within 30 days of the date of death.

Proper documentation is crucial to ensure eligibility for this program. Livestock owners should record all pertinent information of livestock death losses, including losses due to normal causes. Documentation of the number and kind of livestock that have died must be provided and supplemented by such items as:

- Photographs or video records, with dates, to document the loss
- Purchase records, veterinarian records, production records, bank or other loan documents
- Written contracts, records assembled for tax purposes, private insurance documents, and other similar reliable documents.

COC ELECTION

The 2015 COC Election will be held in Local Administrative Area (LAA) 2 (the northern part of the county). Monty Finley is completing his third and final term as COC member from this area. Nominations for candidates may be submitted to the office between June 15th and August 3rd. Eligible voters in LAA 2 will receive postcards in early June. If you are an eligible voter in LAA 2 and you do not receive a postcard or you are not sure which LAA you reside in, please contact the office. **Thank you to Monty for his 9 years of service.**

ACREAGE CERTIFICATION

Producers are reminded to report their 2015 acreage. 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. Acreage reports are required for many Farm Service Agency programs. Crop acreage reports must be certified by the **July 15, 2015.**

REPORTING CROP LOSSES FOR NAP

If you have a loss on a covered NAP crop and wish to receive loss benefits from our office, you must file a notice of loss within 15 days of the earlier: 1) date of the disaster event that caused the loss or, 2) when the loss is apparent to you. A notice of loss must be filed for each weather-related event or adverse natural occurrence that causes damage to or loss of the specific crop. Failure to report crop damage or loss in a timely manner will result in ineligibility for Non-Insured Assistance Program payments.

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 holders 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 1-307-777-7311.

FSA SIGNATURE POLICY

Husbands and wives may sign documents on behalf of each other for FSA and Commodity Credit Corporation programs in which either has an interest. This option is automatically available unless a written request for exclusion is made to the county office staff by either spouse. There are exceptions to the rule, where spouses may not sign on behalf of each other for partnerships, joint ventures, corporations or other similar entities. Individual signatures are also required on certain Farm Loan Program and Farm Storage Facility Loan documents. For more clarification on spousal signature authority, feel free to contact your local FSA office.

BANK ACCOUNT CHANGES

Current policy mandates that FSA payments be electronically transferred into a bank account. In order for timely payments to be made, producers need to notify the FSA county office when an account has been changed or if another financial institution purchases the bank where payments are sent. Payments can be delayed if the FSA office is not aware of updates to bank accounts and routing numbers.

PAYMENT LIMITATION-ANNUAL NOTIFICATION

Program participants are notified of the following Payment Limitation provisions.

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
- programs subject to AGI limitation
- effective date of implementation of AGI limitation

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

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 that 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 2014-2018:

Commodity Programs:

ARC, PLC, LDP, and MLG payments \$125,000

Conservation Programs:

CRP annual rental and incentive payments \$50,000

EQIP (all years 2014-2018) \$450,000

CSP (all years 2014-2018) \$200,000

ECP (per disaster event) \$200,000

Disaster Assistance Programs:

ELAP/LFP/LIP (all programs combined) \$125,000

NAP \$125,000

USDA REMINDS FARMERS OF 2014 FARM BILL CONSERVATION COMPLIANCE CHANGES

The 2014 Farm Bill implements a change that requires farmers to have a Highly Erodible Land Conservation and Wetland Conservation Certification (AD-1026) on file. For farmers to be eligible for premium support on their federal crop insurance, a completed and signed AD-1026 certification form must be on file with the FSA. The Risk Management Agency (RMA), through the Federal Crop Insurance Corporation (FCIC), manages the federal crop insurance program that provides the modern farm safety net for American farmers and ranchers.

Since enactment of the 1985 Farm Bill, eligibility for most commodity, disaster, and conservation programs has been linked to compliance with the highly erodible land conservation and wetland conservation provisions. The 2014 Farm Bill continues the requirement that producers adhere to conservation compliance guidelines to be eligible for most programs administered by FSA and NRCS. This includes most financial assistance such as the new price and revenue protection programs, the Conservation Reserve Program, the Livestock Disaster Assistance programs and Marketing Assistance Loans and most programs implemented by FSA. It also includes the Environmental Quality Incentives Program, the Conservation Stewardship Program, and other conservation programs implemented by NRCS.

Many FSA and Natural Resource Conservation (NRCS) programs already have implemented this requirement and therefore most producers should already have an AD-1026 form on file for their associated lands. If however an AD-1026 form has not been filed or is incomplete then farmers are reminded of the deadline of June 1, 2015.

When a farmer completes and submits the AD-1026 certification form, FSA and NRCS staff will review the associated farm records and outline any additional actions that may be required to meet the required compliance with the conservation compliance provisions.

FSA recently released a revised form AD-1026, which is available at USDA Service Centers and online at: www.fsa.usda.gov. USDA will publish a rule later this year that will provide details outlining the connection of conservation compliance with crop insurance premium support. Producers can also contact their local USDA Service Center for information. A listing of service center locations is available at offices.usda.gov.

MICROLOAN CAP GROWS TO \$50,000

Farm Service Agency (FSA) reminds farmers and ranchers that the FSA borrowing limit for microloans increased from \$35,000 to \$50,000, effective Nov. 7, 2014. Microloans offer borrowers simplified lending with less paperwork.

The microloan change allows beginning, small and mid-sized farmers to access an additional \$15,000 in loans using a simplified application process with up to seven years to repay. Microloans are part of USDA's continued commitment to [small and midsized farming operations](#).

To complement the microloan program additional changes to FSA eligibility requirements will enhance beginning farmers and ranchers' access to land, a key barrier to entry level producers. FSA policies related to farm experience have changed so that other types of skills may be considered to meet the direct farming experience required for farm ownership loan eligibility. Operation or management of non-farm businesses, leadership positions while serving in the military or advanced education in an agricultural field will now count towards the experience applicants need to show when applying for farm ownership loans.

Important Note: Microloans cannot be used to purchase real estate.

BEGINNING FARMER LOANS

FSA assists beginning farmers to finance agricultural enterprises. Under these designated farm loan programs, FSA can provide financing to eligible applicants through either direct or guaranteed loans. FSA defines a beginning farmer as a person who:

- Has operated a farm for not more than 10 years
- Will materially and substantially participate in the operation of the farm
- Agrees to participate in a loan assessment, borrower training and financial management program sponsored by FSA
- Does not own a farm in excess of 30 percent of the county's average size farm.

Additional program information, loan applications, and other materials are available at your local USDA Service Center. You may also visit www.fsa.usda.gov.

LOANS FOR THE SOCIALLY DISADVANTAGED

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. For purposes of this program, socially disadvantaged groups are women, African Americans, American Indians, Alaskan Natives, Hispanics, Asian Americans and Pacific Islanders.

FSA loans are only available to applicants who meet all the eligibility requirements and are unable to obtain the needed credit elsewhere.

NIOBRARA COUNTY FSA OFFICE
PO BOX 720
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The U.S. Department of Agriculture (USDA) prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department (not all prohibited bases apply to all programs). Individuals who are deaf, hard of hearing or have speech disabilities and wish to file a program complaint must contact USDA through the Federal Relay Service at (800) 877-8339 or (800) 845-6136 (in Spanish). Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, etc.) must contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax at (202) 690-7442 or e-mail at program.intake@usda.gov. USDA is an equal opportunity provider and employer.

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.

FOREIGN BUYERS NOTIFICATION

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report new holdings or their changes in 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 within 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, real estate agents, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

Important Dates to Remember	
May 25	Memorial Day – Office Closed
July 3	Independence Day Holiday - Office Closed
July 15	Crop Reporting Deadline
Within 15 days of noticing Loss	File CCC - 576 NAP Notice of Loss