



USDA - FARM SERVICE AGENCY
Uinta County FSA Office
100 East Sage St / PO Box 61
Lyman, WY 82937-0610
(307) 787-3859, Ext. 2 Fax (307) 787-3810



| March 2010 | | |
|---|---|---|
| Office Hours: 8:00 a.m. – 4:30 p.m. | Monday – Friday | Closed on Federal Holidays |
| <u>Uinta County Committee:</u> J. Wes Lupher, Jr. Andrea L. Rollins E. Lyle Robinson | <u>FSA Home Page:</u> www.fsa.usda.gov | <u>Office Staff:</u> Karey Clark, CED |
| <u>District Director</u> Martin G. Hoffland | <u>USDA Home Page</u> www.usda.gov | <u>Farm Loan Manager:</u> Brian Harrell, FLM Riverton, WY (307) 856-7524, Ext. 2 |

Noninsured Assistance Program (NAP) Program – Application Deadline is April 01, 2010
Why purchase the coverage? The 2010 U.S. Drought Monitor indicators may be a good reason.

* The Farm Service Agency (FSA) provides coverage for non-insurable forage crops (excluding Alfalfa, Alfalfa Grass Mix and Grass Mix Alfalfa, which are insurable crops through RMA or FCIC) and includes grazing land acreage. By choosing to purchase NAP coverage on the non-insurable acres and crop insurance on your insurable crops you will meet the linkage requirements necessary to participate in the farm bill disaster programs. On the crop side is the new Supplemental Revenue Assistance Program (SURE). For the livestock side of your operation the Livestock Forage Disaster Program (LFP) and the Emergency Livestock Assistance Program (ELAP) is available to eligible participants.

Next question: Is it really worth the money to purchase the coverage? When you purchase NAP coverage you meet the linkage requirement, and you would be eligible for a loss payment if the county has at least a 50% loss under NAP. You would also be eligible for LFP assistance if the drought monitor reaches a D2 for 8 consecutive weeks, ELAP for emergency loss not covered under the other Disaster Assistance Programs, and SURE assistance for crop losses.

> NAP application fees are \$250 per crop type (\$250 for Hay Forage and \$250 for Grazing, a total of \$500.00.). The application and service fee for non insurable crops must be completed and paid by April 01, 2010.

An important reminder... under the SURE program all of your crops (in all counties and states) excluding grazing must be covered by either Crop Insurance or NAP to be eligible. The livestock programs known as LFP and ELAP require grazing coverage.

> **Things to ponder:** The current snowpack/precipitation data shows both the Lower Green River and the Upper Bear River drainages averaged the following:

Lower Green River Drainage: Hewinta, Hole-in-Rock & Steel Creek Park - Snow water equivalent averages 69% with total average precipitation at 85%.
 Upper Bear River Drainage: Hayden Fork & Lily Lake – Snow water equivalent average is 68.5% with total average precipitation at 67%.

If you look at the overall basin wide percentages for all drainages areas within a particular basin:

Lower Green River Basin: Snow water equivalent averaged 65% with total precipitation 72%.

Upper Bear River Basin: Snow water equivalent averaged 58% with total precipitation 63%.

In comparison, Year 2009 was averaging 73% for the Lower Green River basin and 90% for the Upper Bear River Basin during this same time period.

We do still have the key months of March, April, May and June for Mother Nature to offset the current US Drought Monitor trends.

The U.S. Drought Monitor shows all of Uinta County at a D1 Drought – Moderate. In order to qualify for 2010 program assistance (except the Livestock Indemnity Program (LIP), Uinta County must reach and maintain a D2 – Severe rating or higher for 8 consecutive weeks.

* You as producers should take a look at your individual operations (include your water rights and reservoir water) in relationship to 2010 forage hay crop potential and dry land grazing, if applicable. With **the signup deadline of April 01, 2010**, less than a month away, now is the time to consider the risk of not purchasing 2010 NAP coverage, or gambling on Mother Nature to come through for you.

2010 NAP applications will be taken thru the close of business April 01, 2010. No late file exceptions. Please contact the office if you wish to sign up for 2010 NAP coverage. You will need to pay the applicable 2010 NAP fee(s) at the time of signup.

> Additional Information on the Non-Insured Crop Disaster Program (NAP) is available in the NAP Basic Provisions Document, which can be obtained at your County FSA Office or through the FSA web site located at <http://www.fsa.usda.gov>.

***** ADJUSTED GROSS INCOME PROVISIONS – IF YOU RECEIVED 2009 or WILL RECEIVE 2010 PAYMENTS THIS IS CRITICAL INFORMATION *****

Through a USDA Memorandum of Understanding with the Internal Revenue Service an electronic information exchange process for verifying compliance the Adjusted Gross Income (AGI) provisions will apply for farm programs FSA administers. Written consent will be required from each producer or payment recipient for the IRS review process. No actual tax data will be included in the report that IRS sends to USDA.

IMPORTANT: FSA participants in (2009, 2010 and subsequent years) 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 to avoid interruption of program benefits. Forms may be obtained from local FSA and NRCS offices or online at: <http://165.221.16.90/dam/ffasforms/currentforms.asp>.

You will need to enter the applicable form number as requested and submit to bring up the applicable document you desire. (Individual or Entity) The forms are fill able forms, which allows you to type in the requested information and print the document for mailing to the Internal Revenue Service (IRS). This new requirement applies to ALL 2009 and subsequent program participants for the following

- It is your responsibility to complete the document and then mail it to the IRS. Failure to do so will create a potential refund situation. Your cooperation with this compliance requirement helps provides the compliance information which in turn validates the information you submitted on form **CCC-526 or CCC-926, Average Adjusted Gross Income Certification.** The CCC-526 or CCC-926 document was completed at the time FSA or NRCS program application was made.

♦ PARTICIPANTS THAT CHOOSE NOT TO SUBMIT A COMPLETED ccc-926, ccc-927, OR ccc-928, AS APPLICABLE, WILL BE DETERMINED NONCOMPLIANT WITH ADJUSTED GROSS INCOME (AGI) LIMITATIONS FOR THE 2009 AND 2010 CROP, PROGRAM, AND FISCAL YEAR'S (Notice PL-202.)

LDP Deadline/Information for Wool, Mohair and Unshorn Lam Pelts

Year 2010 Loan Deficiency Program (LDP) producers are reminded that they must file CCC-633-EZ page 1, **BEFORE** they lose beneficial interest in the wool marketed. The county office staff will be mailing the CCC-633EZ, page 1 to producers for their signature and return. If you do not receive page 1, and wish to file for wool LDP, please contact the office promptly. 2010 Wool LDP applicants will have until January 31, 2011 to file for the Wool LDP payment provided they have filed page 1 of the CCC 633-EZ prior to selling the wool or maintain control or beneficial interest in the wool not yet marketed.

Clarification on Unshorn Pelts:

January 31, 2011 is the last date to apply for a 2010 Unshorn Pelt LDP. Eligible producers must have beneficial interest in the pelts, owned the lamb for at least 30 calendar days before the date of slaughter and sell the unshorn lambs for immediate slaughter. Proof must be provided to the county office. Producers must also comply with the wetland conversation and highly erodible land conservation provision on all lands they operate or have interest in. To qualify for payment, pelts must have been produced by an eligible producer from live unshorn lambs (domestic origin) in the United States.

2010 Crop Acreage Reporting of Intended Use

We will be working on the 2010 Crop Acreage Reports of Intended Use. We hope to be able to do most of these by mail. However, with the new farm bill we may need to have producers come into the county office to complete the acreage report. The acreage reports are required for most Farm Service Agency programs. Filing an **accurate and complete** report of ALL crops and land uses, including grazed acreage is important for future program participation and benefits. **2010 Non-Insured Assistance Program (NAP) participants and FCIC insured participants are required to file a 2010 Crop Acreage Report of Intended Use. The acreage reporting deadline is July 01, 2010**

Livestock Indemnity Program (LIP)

The Livestock Indemnity Program was established under the 2008 Farm Bill to provide assistance to livestock producers for livestock death losses in excess of their normal mortality loss. (Normal mortality is the percentage of livestock that can be expected to die during the calendar year as a result of injury; sickness or other causes that can routinely take place using good livestock handling practices.

Qualifications for the LIP program include: Eligible losses must be the direct result of an adverse weather event which includes fatalities caused by hurricanes, floods, blizzards, disease, wildfires, extreme heat, and extreme cold. Drought is not considered an eligible adverse weather event.

Producers may apply for 2010 livestock death losses by submitting a Notice of Loss and an Application for Payment to the county office.

- ✓ Notice of Loss must be submitted the earlier of:
 1. 30 calendar days of when the loss of livestock was apparent to the producer
 2. 30 calendar days after the end of the calendar year in which the loss of livestock occurred.
- ✓ Applications for Payment must be submitted no later than either of the following:
 1. 30 calendar days of when the loss was apparent to the producer
 2. 30 calendar days after the end of the year.
- ✓ Multiple Notice of Loss and Application for Payments can be filed during the year.
- ✓ A Notice of Loss and Application for Payments can be filed by telephone, facsimile, e-mail, regular mail, or in person.

Supporting documentation or proof of death is required:

1. Participants must provide verifiable documentation for livestock deaths including those that died of normal mortality. Documentation must verify the quantity and the livestock kind, type and weight range. Verifiable documentation includes:
 - Sales and Purchase Receipts, Vet Records, Tax Records, Production Record, Written Contracts, Bank Documentation or Private Insurance Documents
2. If adequate verifiable documentation is not available, participants may provide reliable records in conjunction with verifiable Beginning and ending inventory as proof of death. Reliable records may include contemporaneous producer records existing at the time of the event. Contemporaneous information needs to include the following:
 - a. What died (cow, calf, ewe, lamb)
 - b. When did the death occur
 - c. How the livestock died (blizzard, normal mortality)

Contemporaneous records include:

- a. Calendar (documents what, when, how)
- b. Brand Inspection Documents
- c. Calving or lambing records
- d. Diary (documents the date, what, when how)
- e. Picture with a date clearly identifying the animal(s), (tags, etc.)

Documentation must be accurate and is very important in determining the eligibility of the loss event. Document any mortality.

Note: There is a web site called "Weather Underground" located at <http://www.underground.com> that will help to support weather conditions leading up to the adverse weather event and the dates of event occurrences. When you enter the site, locate the NEAREST city to your loss location. If you have a herd of sheep nearest to Evanston, then Evanston would be the location to pull data from. Locations that are not in close proximity of the loss location are not to be used for supporting documentation. You can print any pertinent information for purposes of documenting the weather event. If you need assistance with this web-site, please contact the county office. Other web site locations may be utilized if they provide documentation to support an extreme or adverse weather event that resulted in livestock losses.

Payment eligibility determinations are also a part of all programs. LIP is no exception. You will be required to complete the payment eligibility documents to support a finding that either an individual or entity is or is not eligible for program benefits.

Annual Payment Limitation Provisions **FSA Program Policy Found in 4-PL Amend. 1 (Par's. 14 & 21)**

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.

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

Statutory provisions require entities, earning program benefits that are subject to limitation, to provide the names, addresses, and Taxpayer Identification Number (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 limitations for person or legal entities in years 2009 thru 2010 are:

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|--------------------------------------|------------------------------------|-------------|
| Commodity Programs: | Counter Cyclical and ACRE payments | \$65,000 1/ |
| | Direct payments | \$40,000 2/ |
| Conservation Programs: | CRP Annual Rental Payment | \$50,000 |
| | EQIP (all years 2009-2012) | \$300,000 |
| | WHIP | \$50,000 |
| | WRP | \$50,000 |
| Disaster Assistance Programs: | ELAP/LFP/LIP/SURE | \$100,000: |
| | NAP | \$100,000 |
| Loan Deficiency Program | No Limits | No Limits |

1/ Under Acre, this amount will be a combined limitation for counter-cyclical and ACRE payments. If a person or legal entity has a direct or indirect interest in payments earned on a farm participating in ACRE, this limitation will reflect an increase for the amount that the direct payments were reduced.

2/ If the person or legal entity has a direct or indirect interest in payments earned on a farm that is in ACRE, this limitation will reflect a 20 percent reduction in direct payments on each farm that is participating in ACRE.

United States Department of Agriculture
Farm Service Agency
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RETURN SERVICE REQUESTED



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| March 15, 2010 | Federal Crop Insurance deadline for Spring Insurable Crops. |
| *April 01, 2010 | NAP application deadline date (ALL Non-Insurable Crops types). |
| May 31, 2010 | Office Closed – Memorial Day |
| June 02, 2010 | Final Date for 2010 DCP Signup (The County Office will mail this information) |
| July 01, 2010 | Crop Acreage Report of Intended Use Deadline |
| July 01, 2010 | Deadline to submit 2009 Hay Production (Requirement for NAP Participants) |

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| Within 15 days | Submit form FSA-576, Notice of Loss for the NAP Program |
| Within 30 days | Submit form FSA-914, Notice of Loss for the Livestock Indemnity Program (Death Loss) |

Prior to Selling 2010 Wool: Complete form CCC-633 EZ, Page 1, if you wish to participate in the Wool LDP Program.

Monthly Office Visit Loan assistance – Brian Harrell, Farm Manager / Call ahead for an appointment - (307) 856-7524

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| Monthly | FSA County Committee Meetings – Third, Wednesday at 1:00 P.M. |
| Anytime | Sign-up for Continuous CRP. Contact the FSA Office for an appointment. |

IMMEDIATELY: Notify FSA of any changes that would affect Payment Limitations, Farm Record Changes.
 I.E.: Sold or purchased land, or changes in lease(s), or operator changes, etc.
 Report Direct Deposit changes / Change of Bank and/or Bank Name Changes.

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Special Accommodations will be made for the physically handicapped, vision- or hearing-impaired person upon request. If accommodations are required, please call Karey M. Clark (307) 787-3859, Ext. 100.