



**January 2011**

**Weston County  
FSA Office**

1225 Washington Blvd,  
Suite 2  
Newcastle, WY

307-746-2701 phone  
307-746-2870 fax  
www.fsa.usda.gov/WY

**Hours**  
Monday - Friday  
8:00 a.m. - 4:30 p.m.

**County Staff**

**Peggy Livingston**  
CED

**JoAnn Stearns**  
PT

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Farm Loan Manager  
307-682-8843  
Ext. 2



**County Committee Election**

Many votes were received for the recent election for County Committee Local Administrative Area #1 representative. The ballots were counted at the COC meeting held December 13<sup>th</sup> with Tim Tysdal chosen to fill the 3 year term starting January 1, 2011. Tim and his wife Sonya, ranch in the Four Corners area.

Monte Hamilton will remain active with the County Committee as 1<sup>st</sup> alternate to the position. We would like to thank Monte for his dedication to this office in the past years. It has been a pleasure working with him.

The next meeting of the COC is scheduled to be held February 9<sup>th</sup> at 1:00 pm. If interested in attending please confirm the date and time with this office.

**Farm Loan Programs**

The Farm Service Agency is committed to providing family farmer with loans to meet their farm credit needs. If you are having trouble getting the credit you need for your farm or regularly borrow from FSA, direct and guaranteed loans are currently available.

If you've had a setback and your lender is reluctant to extend or renew your loan, ask your lender about an FSA loan guarantee.

Direct farm ownership loans or farm operating loans may be obtained from FSA for a maximum of up to \$300,000.00. Guaranteed loans can reach a maximum of \$1,119,000. Producers are encouraged to apply early so that the application and loan can be processed and funded in a timely manner.

To find out more about FSA loan programs, contact the county office staff.

**IRS Form 1099-G**

Each year producers receive 1099-G forms from the Commodity Credit Corporation (CCC) detailing payments producers have received from the CCC. CCC's annual report of program payments on the 1099-Gs, help our customers report taxable income. It is not intended to replace the producer's own responsibility to report income to the 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.

**Conservation Loan Program**

The Conservation Loan (CL) Program provides farmers with the funds to implement conservation measures on their land. The available limit for a direct CL is \$300,000, and the limit for a guaranteed CL is \$1,119,000.

The Natural Resources Conservation Service (NRCS) will work with applicants to develop a conservation plan containing approved practices. Examples of some conservation practices are: water conservation structures, forest cover, permanent pastures, manure digesters and other installations.

For more information on a potential Conservation Loan, call the local FSA office.

**DCP and ACRE Signup,  
Advance Payments**

Enrollment for the 2011 Direct and Counter-cyclical Program (DCP) and also the 2011 ACRE Program has begun and will continue through June 1, 2011.

Advance payments of 22% on the 2011 DCP program will be available starting December 1, 2010. The remaining 78% of your DCP payment will be issued after October 1, 2011. ACRE is a revenue based payment alternative to the price-based counter-cyclical (CC) payments.

In DCP, eligible producers receive direct payments at rates established by statute regardless of market prices. DCP or ACRE contract signatures for enrollment are due by the signup deadline of June 1, 2011. Contact your local FSA office.

**Continuous CRP**

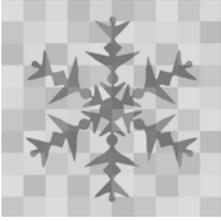
The Continuous Conservation Reserve Program allows participants to enroll acreages in soil erosion, improve water and soil quality and provide wildlife habitat and food sources.

Continuous CRP participation is voluntary, Eligible landowners enter into contracts that range from 10 to 15 years in length. In return, the landowners will receive annual rental payments, incentive payments for certain activities and cost share for establishment.

For more information on Continuous CRP enrollments or local Conservation Reserve Enhancement Program (CREP) availability, contact your local FSA office or visit us at <http://www.fsa.usda.gov/pas/publications/facts/html/crpcont03.htm>.

## Annual FSA Notifications

FSA is required to annually notify producers of many program requirements, policies, and reminders. The following are some of those notifications:



**Foreign Buyers Notification:** The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of United States agricultural land to report their holdings to the Secretary of Agriculture. FSA administers this program for USDA. Foreign persons who have purchased or sold agricultural land are required to report the transaction to FSA within 90 days of the closing. Failure to submit the AFIDA form could result in civil penalties up to 25% 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.

**Foreign Person Rule:** A foreign individual is someone who is not a citizen of the United States or a lawful alien possessing a valid Alien Registration Receipt Card (Form I-551 or I-151). A foreign entity is a corporation, trust, estate, limited partnership, limited liability company, or other similar organization that has more than 10 percent of its beneficial interest held by individuals who are not citizens of the United States or lawful aliens possessing a valid Alien Registration Receipt Card (Form I-551 or I-151). In addition to the requirements for “person” and “actively engaged in farming,” the following significant contributions must be provided by an individual or entity considered to be a “foreign person.” An individual determined to be a “foreign person” must provide a significant contribution of land, capital, and active personal labor. Each foreign individual who is a member of an entity determined to be a “foreign person” must provide active personal labor to enable the entity to provide a significant contribution of active personal labor.

**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.

**Under-Represented Groups:** FSA solicits and accepts nominations of under-represented groups such as females and minority (American Indian or Alaska Native, Asian, Black/African American, Hispanic/Latino, Native Hawaiian or Other Pacific Islander) producers for county committee representation.

**Power of Attorney:** For those who find it difficult to visit the county office personally because of work schedules, distance,

health, etc., we have a power of attorney form available that enables you to designate another person to conduct your business at the office. If you are interested, please contact our office or any Farm Service Agency office near you for more information. If you want a crop loan, a power of attorney form will need to be completed for husband and wife, if both do not come into the office to sign the forms on the day the loan is disbursed.

### **Change in Farming Operation or Address:**

Producers are reminded to notify this office to report change in address or ownership. This is vital to assist this office in keeping records.

**Change in Direct Deposit Account:** The Debt Collection Act of 1996 mandates that payments from FSA be directly deposited into a producer’s checking or savings bank account. It is important that any change in the producer’s account such as type of account, bank mergers, routing number or account numbers be provided to the county office promptly to avoid possible payment delay.

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

**Spousal Signature:** A husband and wife may sign documents on behalf of each other for FSA and Commodity Credit Corporation (CCC) programs in which either has an individual interest. This option is automatically available unless a written request for exclusion is made to the county office from either spouse. Exceptions include claim settlements, power of attorney forms and signatory authority for an entity.

**FSA 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 appeal to the USDA National Appeal Division.



**Cash-rent Tenant:** A cash-rent tenant rule applies to any producer that rents land from another producer for cash or a crop share guaranteed as the amount of the commodity to be paid in rent. The rule also applies to any producer who rents land for zero dollars or who farms the land in exchange for compensation other than cash, such as controlling weeds on land not owned, or barter arrangements. Any cash-rent tenant shall be ineligible to receive payment unless the cash-rent tenant makes a significant contribution of active personal labor to the farming operation; or a significant contribution of active personal management **and** a significant contribution of equipment. A cash-rent tenant must also meet all applicable requirements to be considered “actively engaged in farming.”

**Submission of Applications via E-Government:** As required by the Freedom to E-File Act, USDA provides customers with the option to electronically access, fill out, and print paper forms and transmit those forms and other documents to their local Service Center. Customers may also obtain secure payment summary information. A secure website is offered. Log on to: <http://www.eauth.egov.usda.gov> if you wish to register for a Customer ID and password.

**Farm Loan Programs:** The Farm Service Agency (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.

**FSA Farm Loans Available To Beginning Farmers or Ranchers:** Beginning farmers or ranchers may obtain a farm ownership loan by using funds set aside especially for them by the Farm Service Agency. These loans can be financed up to the \$300,000 loan limit, and the term of the loan can be up to 40 years.

Farm ownership loan funds may also be used in joint financing where FSA lends up to 50 percent of the amount financed and another lender provides 50 percent or more.

**Loans for Socially Disadvantaged:** The Farm Service Agency (FSA) can make and guarantee loans to socially disadvantaged applicants to buy and operate family size farms and ranches. Funds specifically for these loans are reserved each year. A socially disadvantaged farmer or rancher is one of a group whose members have been subjected to racial, ethnic, or gender

prejudice because of their identity as members of the group without regard to their individual qualities. Socially disadvantaged groups include women, African Americans, American Indians, Alaskan Natives, Hispanics, and Asians and Pacific Islanders. Contact your local FSA Farm Loan Manager for more details and assistance in applying.

**Honey Loans:** Marketing assistance loans and loan deficiency payments for 2009 crop year honey are available until **March 31, 2010**. Market prices currently exceed the loan rate; so LDPs are not available right now.

To be eligible for a loan, the producer must have produced honey in the United States during the calendar year for which the loan is requested, and extracted the honey on or before Dec. 31 of the applicable crop year; have continuous beneficial interest in the honey through date of repayment of the loan; and been responsible for the financial risk of keeping the honey. Producers are responsible for maintaining the quality of farm-stored honey during the term of the loan.

**Applications for FSA Loans:** Farmers and ranchers that intend to apply to the Farm Service Agency for loan assistance for the upcoming crop year are encouraged to file their applications as early as possible. Filing early will help ensure that your loan is processed and approved as early as possible so that planting decisions can be made. Failure to apply early can result in a delay in processing loans due to the volume of applications that must be processed in date order. Contact your local FSA farm loan manager or officer for more details and assistance in applying.

**Faxed Signatures:** Certain faxed signatures shall be accepted for all applicable program forms or other documents approved for faxed signatures, if all other requirements are met.



### Paper Check Conversion (PCC)

Over the next year, the Farm Service Agency (FSA) and the Commodity Credit Corporation (CCC) are moving to an electronic method for processing checks from producers. This will allow FSA/CCC to process collections faster.

When producers present checks, either in person or through the mail, the checks will be converted into an

Electronic Funds Transfer (EFT) and debited from the producer's account, usually within 24 hours of receipt.

Please see the U.S. Department of Treasury legal notices posted in the USDA Service Center office or visit the following U.S. Department of Treasury Internet site for detailed information:

<https://www.pccotc.gov/pccotc/pcc/usingpcc/Legal%20Notices/legalnotices.htm>

Selected Interest Rates - December 2010	
90-Day Treasury Bill	0.125%
Farm Operating - Direct	1.750%
Farm Ownership - Direct	4.125%
Farm Ownership - Direct Down Payment, Beginning Farmer or Rancher	1.500%
Conservation Loan	4.125%
Emergency	3.750%
Farm Storage Facility	%
Sugar Storage Facility	%
Commodity Loans 1996-Present	%

Dates to Remember	
Dec. 6,	County Committee ballots due back to County Office
Dec. 24	Christmas Holiday-Offices Closed
Dec. 31	New Years Eve – Offices Closed
June 1, 2011	DCP / ACRE Filing Deadline

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