

December 2013



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## Weston County FSA Updates

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### Weston County FSA Office

1225 Washington Blvd., Suite 2  
Newcastle, WY 82701

Phone: 307-746-2701  
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**County Executive Director:**  
Peggy Livingston

**Farm Loan Manager:**  
Rob Weppner - Campbell  
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(307)682-8843

**Program Technicians:**  
JoAnn Stearns

**Next County Committee  
Meeting: January, 2014**



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## County Committee Election Delay

The election for the County Committee Representative in Local Administrative Area 1 has been delayed due to an error on the original ballots. Producers can expect to receive a corrected ballot in the mail within the next few weeks. The election of agricultural producers to FSA County Committees is important to all farmers and ranchers with large or small operations. Committee members are a crucial component of the operations of FSA, applying their knowledge and judgment to help with decisions necessary to administer the programs in their county.

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## Acreage Certification Late Filed Fee Waiver

The deadline for 2014 crop year acreage certification of all permanent cover crops (rangeland, established hayland and fall seeded crops such as winter wheat) is now November 15th. However, because of the furlough of federal employees, the late filed fee for reporting crops after the deadline has been waived until January 15, 2014. This means that producers who have not certified their crop reports prior to the deadline may still do so without being assessed a late filed fee up through January 15, 2014. All current FSA program participation requires that crop reports be filed in order to be in compliance.

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## Noninsured Crop Disaster Assistance Program (NAP)

The noninsured crop disaster assistance program (NAP) is a federally funded program that helps producers reduce their risk when growing food and fiber crops, specialty crops and crops for livestock feed. These benefits are only available for crops for which the catastrophic level of federal crop insurance is not available. Remember to report 2013 production history for forage crops you had covered by NAP. Failure to report production history could result in a reduction of your average yield, as substitute yields are used when actual production history is missing. The deadline for purchasing NAP coverage on fall seeded crops and permanent cover was December 1st; however, coverage for spring planted forage crops may be purchased from now until April 1st, 2014.

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## Foreign Landowner Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign persons who have purchased or sold agricultural land in the county to report the transaction to FSA within 90 days of closing. Failure to submit the AFIDA form 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 advised to notify foreign investors of these reporting requirements.

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## 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.

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## 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. Husbands and wives may sign documents on behalf of each other for FSA and Commodity Credit Corporation programs in which either has an interest. There are exceptions to the rule. 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, contact your local FSA office.

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## Highly Erodible Land and Wetland Compliance

Landowners and operators are reminded that in order to receive payments from USDA, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions is required. Farmers with HEL determined soils must comply with tillage, crop residue,

and rotation requirements as specified in their conservation plan. Producers should notify FSA prior to conducting land clearing or drainage projects to insure compliance. If you intend to clear any trees to create new cropland, these areas will need to be reviewed to ensure any work will not jeopardize your eligibility for benefits. Landowners and operators can complete form AD-1026 Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification to determine whether a referral to Natural Resources Conservation Service (NRCS) is necessary. For more information on Highly Erodible Land and Wetland Conservation provisions, contact a FSA County Office or visit the FSA website at [www.fsa.usda.gov/](http://www.fsa.usda.gov/).

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## Electronic News Delivery

The USDA Farm Service Agency offices have moved to a paperless news distribution system. Producers are asked to enroll in the new GovDelivery system, which provides notices, newsletters and electronic reminders instead of a hard copy through the mail. FSA, like many other organizations, is trying to work smarter and be more efficient. Moving to electronic notifications via email helps conserve resources and save taxpayer dollars. Producers can now subscribe to receive free email updates by going to [www.fsa.usda.gov/subscribe](http://www.fsa.usda.gov/subscribe).

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## 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 bank routing numbers.

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## Appeal Process

After an FSA official makes a decision on a request for USDA services or application, the producer will be sent a letter informing him/her of the decision and options that can be pursued. 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. County office staff has further details.

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## Power of Attorney

For those who find it difficult to visit the county office because of work schedules, distance, health, etc., FSA has a power of attorney form available that allows producers to designate another person to conduct business at the office. If interested, contact our office or any Farm Service Agency office for more information.

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## Farm Operation Changes

For FSA program purposes, parcels of land having the same owner and the same operator are grouped under one farm serial number. When changes in ownership or operation take place, a farm reconstitution is necessary. The reconstitution (recon) is the process of combining or dividing farms or tracts of land based on the farming operation. Producers who have bought or sold land, or added or dropped rented land from their operation must report those changes to the FSA office as soon as possible. A copy of the deed or recorded land contract for purchased property is needed to maintain accurate records with FSA. A copy of current leases must also be provided to show proof of control of the land. Failure to report changes can lead to possible program ineligibility and penalties. While making record updates, be sure to update signature authorizations. Making record changes now will save time in the spring. Please notify the County Office as timely as possible, so changes can be made effective for the current fiscal year.

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## Farm Service Agency and Risk Management Agency

FSA supports the RMA in the prevention of fraud, waste, and abuse of the Federal Crop Insurance Program. FSA has been and will continue to, assist RMA and insurance providers by monitoring crop conditions throughout the growing season. FSA will continue to refer all suspected cases of fraud, waste, and abuse directly to RMA. Producers can report suspected cases to the county office staff, the RMA office, or the office of the Inspector General.

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## Farm Storage Facility Loans

Low cost financing for storage facilities is available for qualifying producers to build or remodel farm storage facilities for a variety of commodities, including but not limited to wheat, corn, and hay. The low interest rate changes monthly and is based on the rate of interest charged on Treasury Securities of comparable term. Loan terms of 7, 10, and 12 years are available for the purchase and installation of new, eligible storage facilities or permanently affixed drying and handling equipment or for new components used to remodel existing facilities. Eligible facilities include conventional type bins or cribs, new or remanufactured oxygen-limiting upright and bunker silo, new permanently affixed structures suitable for storing hay produced by the borrower. Loan limits are up to \$500,000. Loan terms:

\$100,000 or less - 7 years; \$100,001 - \$250,000 - 7-10 years; \$250,001 - \$500,000 - 7, 10 or 12 years.

Signup is continuous, as long as Commodity Credit Corporation (CCC) funds are available.

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## Rural Youth Loan

The Farm Service Agency makes loans to rural youths to establish and operate income-producing projects in connection with 4-H clubs, FFA and other agricultural groups. Projects must be planned and operated with the help of the organization advisor, must be agricultural related, produce sufficient income to repay the loan and provide the youth with practical business and educational experience. The maximum loan amount is \$5000.

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## Marketing Assistance Loans (MAL)

USDA Commodity Credit Corporation (CCC) makes available nonrecourse marketing assistance loans for certain commodities such as (barley, canola, corn, crambe, dry peas, flaxseed, graded wool, grain sorghum, honey, lentils, mohair, mustard seed, non-graded wool, oats, soybeans, sunflower seed and wheat). MALs provide interim financing for eligible producers, allowing them to store their crops at harvest (when prices tend to be low), then market their crops when prices rise. These loans carry a nine month maturity and can be repaid with cash at principal plus interest anytime from loan disbursement to loan maturity. To be eligible, producers must have produced an eligible loan commodity during the applicable crop year, complied with annual program requirements, maintain beneficial interest (have title to the commodity and retain control of the commodity), request MAL on or before the final loan availability date for a specific commodity, and, if required, submit lien waivers for any liens existing on the crop for which MAL is being requested. Producers may store commodities in eligible storage on the farm or may deliver their commodity to a warehouse operating according to the Federal and State licensing requirements under the United States Warehouse Act or operating under Uniform Grain and Rice Storage Agreement. CCC establishes loan rates for eligible commodities annually at the national level, and adjusts the rates locally. MALs may be repaid with cash at principal plus interest or under certain circumstances, when applicable loan rates are greater than the posted county or announced national market price for eligible loan commodities, producers can repay loans at the announced applicable market price amount, without interest. In addition, a producer may request to deliver the commodity to CCC for farm-stored loans or forfeit the loan commodity to CCC for warehouse stored loans on the first day after maturity in satisfaction of the outstanding loan principal. If a violation of the loan term occurs (incorrect certification, unauthorized removal, or unauthorized disposition of the commodity) administrative actions may apply. Alternatively, a producer may be eligible for and choose to receive a loan deficiency payment (LDP) in lieu of securing a marketing assistance loan. An LDP is the difference between the loan rate at a given location and the announced market price for the applicable commodity. In addition to the above noted eligible loan commodities, hay, silage, and unshorn pelts are eligible for LDP only. CCC also provides recourse loans, distress loans, and sugar loans to eligible producers. FSA provides marketing assistance loans and LDP's on behalf of CCC. More information on the MAL, commodity loan, electronic LDP (eLDP) and LDPs are available from local FSA Service Centers and FSA's website at: <http://www.fsa.usda.gov>, click on Price Support.

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## Beginning Farmer and Rancher Loans

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 beginning farmers and socially disadvantaged applicants. A socially disadvantaged applicant is one of a group whose members are 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. If producers or their spouses believe they would qualify as socially

disadvantaged, they should contact their local FSA Office for details. FSA defines a beginning farmer as a person who:

- a) has operated a farm for not more than 10 years
- b) has operated a farm for not more than 10 years
- c) will materially and substantially participate in the operation of the farm
- d) agrees to participate in a loan assessment, borrower training and financial management program sponsored by FSA
- e) does not own a farm in excess of 30% of the county's average size; in case of farm run ownership loans. Each member of an entity must meet the eligibility requirements.

Loan approval is not guaranteed. FSA loans are only available to applicants who meet all eligibility requirements and are unable to obtain the needed credit elsewhere. Additional loan program information, loan applications, and other materials are available at your local USDA Service Center. You may also visit [www.fsa.usda.gov](http://www.fsa.usda.gov) or [www.nrcs.usda.gov](http://www.nrcs.usda.gov).

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## Controlled Substance

Any person 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.

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## Civil Rights/Discrimination Complaint Process

As a participant or applicant for programs or activities operated or sponsored by USDA you have a right to be treated fairly. If you believe you have been discriminated against because of your race, color, national origin, gender, age, religion, disability, or marital or familial status, you may file a discrimination complaint. The complaint should be filed with the USDA Office of Civil Rights within days of the date you became aware of the alleged discrimination. To file a complaint of 180 discrimination write to USDA, Director, Office of Civil Rights, room 326W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 9voice or TDD), USDA is an equal opportunity provider and employer. A complaint must be filed within 180 calendar days from the date the complainant knew or should have known, of the alleged discrimination.

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## Dates to Remember

December 25, 2013 - FSA Offices closed, Federal Holiday  
January 1, 2014 - FSA Offices closed, Federal Holiday  
January 20, 2014 - FSA Offices closed, Federal Holiday  
March 15, 2014 - Deadline for Crop Insurance from an insurance agent  
April 1, 2014 - Deadline to purchase NAP policy on spring seeded forage crops

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## Selected Interest Rates for January 2014

90-Day Treasury Bill - 0.125%  
Farm Operating - Direct - 1.875%  
Farm Ownership - Direct - 4.125%  
Limited Resource - 5.000%  
Farm Ownership - Direct Down Payment, Beginning Farmer or Rancher - 1.50%  
Emergency - 2.875%  
Farm Storage Facility - 7 year - 2.00%  
Farm Storage Facility - 10 year - 2.625%  
Farm Storage Facility - 12 year 2.875%  
Commodity Loans 1996-Present - 1.125%

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USDA is an equal opportunity provider and employer. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).