



January 2010

CRP Wind and Lease Information

There seems to be some confusion on policy for wind turbines and gas, oil, earth, and mineral rights. We continue to get many questions in these areas.

Wind Turbine Policy

Local county committees may authorize, on a case-by-case basis, the installation of windmills, wind turbines, wind-monitoring towers, or other wind-powered generation equipment **on CRP** acreage.

The FSA county committee may approve up to 5.0 acres **per contract** of wind turbines on CRP acreage without terminating the acreage. An environmental review must be completed (form FSA-850) which is forwarded to the State Environmental Coordinator for approval **before** the county committee approves the installation of wind turbines. The 5.0 acres is calculated by totaling the square footage of land area devoted to the footprint of the wind generating device and any firebreak installed around the footprint.

Any acreage over 5.0 acres on a CRP contract must be submitted for approval by the national office through the State office. Any access roads, transformers, and other ancillary (auxiliary) equipment acreage will need to be terminated from the CRP contract. Termination requires refund of all prior annual rental payments, cost share payments, interest and liquidation damages.

LAND UNDER LEASE for Gas, Oil, Earth, or Mineral Rights –

If you had an existing lease when the acreage was enrolled into CRP and the person that owns the lease exercises the right to extract minerals, etc. from CRP acreage, the county committee shall terminate affected acreage, waive refund of annual rental payment and liquidated damages but require refund of cost-share payments.

If a mining lease is entered into after acreage has been enrolled in CRP and the person that owns the lease exercises the right to extract minerals, etc. from the CRP acreage, the county committee shall terminate affected acreage, obtain refund of annual rental payments and cost-share payments with interest, and liquidated damages.

Exploration of Minerals by Sampling to determine whether mining is feasible does not require termination or reduction of annual payments if the exploration is completed within the date specified by county committee and any disturbed cover is re-established at the CRP participant's expense. In this case the land continues to meet eligibility requirement as determined by COC.



REPORT 2010 PLANTED SMALL GRAIN ACRES

Please visit your FSA Office to get those small grain and CRP acres reported. The final date to report small grains is **May 31**. The deadline for all other cropland uses is **August 1**.

REPORTING FAILED & PREVENTED ACRES

Don't forget to file a CCC-576 Notice of Loss, with FSA prior to destroying failed acres. By notifying the FSA office of these failed acres, it will give FSA the ability to certify the affected acres as failed, which in turn will retain those acres for crop history.

Prevented planted crops intended for harvest should be reported to FSA. A fee will apply for late filed applications on prevented planted claims for any request received December 21 and later.

All timely and late-filed prevented planting claims will be considered based on the individual merit of each claim. The determination on each request will be based on a visual inspection of the acreage showing that an eligible disaster condition prevented the acreage from being planted, opposed to other factors. Farm operators will also have to provide documentation supporting their intent to plant the crop. If a producer late-filed a prevented planting claim with their local insurance provider, and with FSA, any approval by the insurance provider will not be considered "supporting documentation."

The following information shall be provided and reviewed for each prevented planting claim. Substantial information must be provided with the notice of loss to support the farmer's intent to plant. This would include receipts that show seed purchase or contracts with a dealer. Also provide documentation of field preparation and fertilizer purchases. If the producer had multi peril or hail insurance he should bring evidence of the report filed with crop insurance.



Electronic Services Available

If you have Internet access you can access many services from home 24 hours a day, seven days a week, and receive approval and payment by direct deposit within 48 hours. To participate in these services, you must meet all program eligibility requirements. Online services have stringent security measures to protect your private information.

To utilize electronic services you will need an active USDA eAuthentication Level 2 account, which requires an e-mail address and filling out an online registration form at <http://www.eauth.egov.usda.gov/> followed by a visit to the county office for identity verification.

If you would like assistance to establish your account just contact your USDA Service Center.

IMPORTANT ~ REPORT BASIC FARM CHANGES TO FSA

Inform FSA of basic changes to your farm operation as they occur. Examples: transfer of farm ownership into a trust; or creation of another entity (such as a partnership, corporation or Limited Liab. Company) to be land owner or the farm operator.

SPECIAL ACCOMODATIONS

Special accommodations will be made upon request for individuals with disabilities, vision impairment, or hearing impairment. If special accommodations are required, please contact your local FSA office to make arrangements for necessary accommodations.

Enroll Now in Annual Farm Programs

2010 DCP Signup

Enrollment for the 2010 Direct and Counter-cyclical Program (DCP) is available at your local FSA and will continue through June 1, 2010. You may make use of the eDCP automated website to sign up, or you can visit the USDA Service Center to complete the 2010 DCP contract.

For 2010, eligible producers may request to receive advance direct payments based on **22 percent** of the annual direct payment. Call your County FSA office for an appointment to expedite the DCP enrollment process.

The ACRE Option

An alternative to DCP is the **ACRE** Program which 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. For 2010, the 2-year price average will be based on the 2008 and 2009 crop years.

An ACRE payment is issued when both the state and the farm have incurred a revenue loss. The payment is based on 83.3 percent (85 percent in 2012) of the farm's planted acres times the difference between the State ACRE guarantee and the state revenue times the ratio of the farm's yield divided by the state expected yield. The total number of planted acres for which a producer may receive ACRE payments may not exceed the total base on the farm. In exchange for participating in ACRE, in addition to not receiving counter-cyclical payments, 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. Once enrolled, the farm shall be enrolled for that initial crop year and will remain in ACRE through the 2012 crop year.

The June 1, 2010, deadline is mandatory for all participants. USDA will not accept any late-filed applications.



Changing Banks

Almost all FSA payments are made electronically using Direct Deposit. If you have changed accounts or institutions that might affect the direct deposit of your FSA payments, contact the FSA county office so we can update our files to ensure continued uninterrupted service.

Reviewing program implications with your local Farm Service Agency staff before completing a sale of farmland is always a prudent precaution.

SELLING LAND

When land owners consider selling farmland, there may be program consequences to resolve. For example, if selling land that's enrolled in the Conservation Reserve Program (CRP), the buyer must agree to continue with the CRP enrollment. Otherwise, the seller will have to refund the program payments they received for that CRP contract to date. Land owners should review program implications with FSA staff before completing any sale of farmland.



Dates to Remember...

January 18	USDA Service Centers Closed to observe the Dr. Martin Luther King Holiday
March 15	Deadline to request NAP policy on feed crops, field peas, millet,
March 31	Deadline to request 2009-crop loan or LDP on small grains
May 31	Deadline to request 2009-crop loan or LDP on feed grain Or oilseed crops
June 1	Deadline to enroll in the 2010 DCP or ACRE program
August 1	Deadline to request a 2010-year farm reconstitution
August 1	Deadline to certify spring seeded crops, CRP, and NAP (NAP is earlier of Aug 1 or 15 days prior to grazing or harvest)
Ongoing:	➤ Continuous CRP signup
	➤ Direct & Guar. Operating or Farm Owner Loans
	➤ Rural Youth Loans
	➤ Farm Storage Facility Loans

Beginning and Limited Resource Farmers

FSA assists beginning farmers and or members of socially disadvantaged groups 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 that 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.

Each member of an entity must meet the eligibility requirements. Loan approval is not guaranteed.

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

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