



Wisconsin State FSA Office

For individual program information, please contact your local county office.

8030 Excelsior Dr.
Suite 100
Madison, WI 53717

Hours

Monday-Friday
8:00 am - 4:30 pm

State Executive Director

Brad Pfaff

WI State Committee

Bill Averbeck, Chair
Patty Edelburg
George Huber

Website

www.fsa.usda.gov/wi

September 2011

Inside this Issue...

Hispanic/Women Claims
Secretary's Message
File AGI Forms to IRS
CRP Maintenance Requirements
CRP Managed Haying/
Grazing Deadlines
MILC Reminder
NAP Reminder
TAP Reminder
FSFL
Farm Loan Information



From the Desk of Brad Pfaff, Wisconsin State Executive Director

Welcome to our first electronic newsletter. This e-newsletter is developed to provide you with pertinent, relative, informative, and up-to-date information that will assist you with USDA Farm Service Agency programs and program time lines. I hope you find this newsletter useful. On behalf of Wisconsin agriculture, thank you for your work.

Women and Hispanic Farmers and Ranchers May Receive Compensation for Claims of Discrimination from the USDA

The United States Department of Agriculture (USDA) reminds female or Hispanic farmers or ranchers that if you believe that the USDA improperly denied farm loan benefits to you between 1981 and 2000 because of your gender or race, you may be eligible to apply for compensation.

You may be eligible if:

- you sought a farm loan or farm-loan servicing from USDA during that period; and
- the loan was denied, provided late, approved for a lesser amount than requested, approved with restrictive conditions, or USDA failed to provide an appropriate loan service; and
- you believe these actions occurred because you are female or Hispanic.

If you want to register your name to receive a claims package in the female and Hispanic farmers claims process, you can call the Farmer and Rancher Call Center at 1-888-508-4429 or access the Website: www.farmerclaims.gov.

For more information, contact the Farmer and Rancher Call Center at 1-888-508-4429 or access the following Website: www.farmerclaims.gov.

A Message from USDA's Secretary Tom Vilsack

Some recent news stories have focused on suspicions and rumors about the Obama administration's work on agriculture. The truth is that the President, EPA Administrator Jackson and I are listening to farmers, ranchers and producers so we can be the best possible partner for successful operations. These efforts are helping farmers enjoy some of the best incomes they have seen in decades.

Sadly, rumors and misconceptions have become the norm, not the exception, especially when it comes to regulations and how they might affect our nation's producers.

First, it was that the Environmental Protection Agency (EPA) was considering treating spilled milk like an oil spill. Not true. And in terms of water regulations, EPA has made it clear that recent rules do not seek to regulate land that occasionally ponds during heavy rains.

Regulation of farm dust is another frequently repeated myth, based on a congressionally-mandated review that the EPA has conducted every 5 years for decades. We all know you can't farm without dust. And EPA has no plans to propose stricter standards.

And the Department of Transportation announced just last week that it has no in-

tention of proposing any new regulations or rules on the transport of agricultural products, farm machinery, or farm supplies to or from a farm.

Perhaps more importantly, the Obama Administration has worked to be the most accessible and collaborative in history. The President and I are listening to farmers, ranchers and other producers and actively collaborating across the federal government to help everyone understand the facts of American agriculture.



I maintain a regular dialogue with Lisa Jackson at EPA and we even visited farms in Iowa together. The collaborative partnership we enjoy is reflected in our policies: pursuing common-sense standards that will give farmers a seat at the table and let them make the decisions they feel are best for their own operations.

One result of this sort of collaboration is that in 2009 and 2010, the federal government issued fewer new rules than it did in 2007 and 2008.

As you hear from producers about their concerns, I know you will continue to be helpful in providing them with the information they need to help their operations succeed, and not to get caught up in rumor or exaggeration. And you should urge folks with additional questions to contact the EPA directly, where they should be able to get further help in separating fact from fiction.

EPA and USDA understand that if we are going to solve the major environmental challenges of our time – combating climate change, reducing soil erosion, and ensuring an ample supply of clean water and healthy food for our families – farmers must help lead the way.

Last Call for Producers to File AGI Forms with the IRS

Time is running out for producers to submit the Adjusted Gross Income (AGI) verification consent form (CCC-927 or CCC-928) to the IRS in order to maintain eligibility for 2009 and 2010 program ben-

efits received.

The consent form authorizes IRS to verify for Farm Service Agency whether a payment recipient's AGI meets the eligibility requirements for FSA programs. The form became a requirement for payment eligibility beginning with the 2009 crop year, however many program participants have not yet submitted this form to maintain eligibility for 2009 and 2010 program benefits.

Producers who fail to file these forms before September 2011 will receive a notice from the National Office stating that the producer must file the necessary documents within 30 days of the date of the letter or will be ineligible for 2009 and/or 2010 payments. The producer will be responsible for fully refunding all payments received under programs subject to AGI limitations.

IRS requires written consent from all individuals or legal entities before verification of the average AGI can be provided to USDA. Individuals must submit form CCC-927 and legal entities must submit form CCC-928. Without these forms on file, eligible producers will not remain eligible for USDA program payments.

These consent forms are required for payments received from the Natural Resources Conservation Service (NRCS) as well as those received through FSA. Completed forms must be returned directly to the IRS.

For more information on AGI eligibility requirements or the AGI verification process, contact the local County FSA office.

FSA Reminds CRP Participants of Maintenance Requirements

FSA reminds Conservation Reserve Program (CRP) participants that maintenance and management activities on CRP acres must be completed outside of the primary nesting season, which began May 15, 2011, and continues through the date listed in individual conservation plans.

CRP participants must not engage in any CRP maintenance or management activities during the primary nesting season that is listed in your current conservation

plan. Review your conservation plan to determine the nesting season dates that apply to you.

Participants with maintenance issues that require attention prior to the end of nesting season must contact the county FSA office for permission prior to performing any spot spraying or spot mowing on CRP acres.



Failure to contact the county FSA office prior to any maintenance on CRP acres during nesting season may result in payment reductions or possible contract termination.

For questions or more information about maintenance and management activities of CRP acres, please visit your local FSA county office.

Deadline Reminders for Managed Haying and Grazing on CRP Acreage

Landowners are reminded that if they have written approval to hay or graze any Conservation Reserve Program (CRP) acreage that haying must be completed by September 15, 2011 and grazing livestock must be removed no later than September 30, 2011.

In order to hay or graze CRP acreage, participants must obtain a modified conservation plan to include haying or grazing requirements as determined by the Natural Resources Conservation Service. Haying and grazing plans must be site specific and reflect local wildlife concerns and needs.

Authorization of CRP managed haying and grazing can only be on certain cover practices such as grass or legume cover or native grasses. It is not authorized where trees, windbreaks, shrubs, wildlife habitat or food plots were planted. Other restrictions include grass waterways, filter strips, riparian buffers and established or restored wetlands. Managed haying cannot be authorized until after the cover is fully established. CRP acreage may only be authorized for haying or grazing every three years.

The haying or grazing privileges may be

rented or leased. However the participant must inform FSA of the renter's name and must identify the acreage to be hayed or grazed. The same acreage cannot be hayed and grazed. The participant is also responsible for re-establishing any failed cover at their own expense.

CRP participants who take advantage of this provision must report the number of acres actually hayed or grazed no later than September 30, 2011 and reports are subject to spot check by USDA. Participants must also report tonnage harvested or the number of livestock grazed by September 30, 2011.

A 25 percent payment reduction, which will be taken from the participant's annual rental payment, applies to the CRP acreage that is hayed or grazed.

Contact your local county FSA office for more information and details regarding the potential haying or grazing of CRP acreage.

Selecting and Changing MILC Payment Start Month

Dairy producers who are enrolled in the Milk Income Loss Contract Program (MILC) and want to change their start date for 2012 MILC payments to October have until September 14, 2011 to request the change. Additionally, producers who currently have October as their start month and would like to change it must also make that change by September 14, 2011.

Dairy producers are allowed to change their start month an unlimited number of times throughout their enrollment in MILC provided that the changes are made:

- On or before day 14 of the month prior to the new MILC production start-month (unless that day falls on a weekend federal holiday, then the date falls to the previous business day);
- Before payment is sought;
- Before the original selected MILC production start-month has passed.

For example, if a dairy operation's current start-month for fiscal year 2012 is January, and the dairy operation decides to

change the start-month to October, the new start-month would have to be selected by September 14, 2011.

If the start-month is never changed, it will remain the same throughout the MILC contract's duration.

The MILC program compensates dairy producers when the Boston Class I milk price falls below \$16.94 per hundred-weight. Payments will be made on an operation-by-operation basis up to a maximum of 2.985 million pounds of milk produced and marketed by the dairy operation per fiscal year.

Dairy operations that are unsure of their start month or would like to change their start month should contact their local FSA county office.

Dairy producers interested in applying for the MILC program can visit a local FSA office or download the application online at <http://forms.sc.egov.usda.gov/eforms/mainServlet>.

Non-Insured Assistance Program (NAP) Reporting Requirements Reminder

Wisconsin FSA reminds producers that they must meet the Non-insured Assistance Program (NAP) requirements prior to receiving program benefits.

It is important that producers report NAP crop losses within 15 days of the date damage occurred or 15 days from the date damage is apparent. Losses to crops need to be reported after each occurrence of damage and in a timely manner to ensure continued eligibility for benefits.

NAP coverage is only available for crops where coverage is not available under the Federal Crop Insurance Program. The NAP program is designed to cover catastrophic losses due to damaging weather conditions. The program covers losses in excess of a 50 percent loss of the producer's established yield. Qualifying losses eligible for payment are paid at 55 percent of the established value of the crop.

Producers are encouraged to contact their local FSA office to find out what forms of

production evidence are acceptable and to obtain additional information regarding NAP. Failure to comply with the requirements mentioned above could result in a loss or reduction in program benefits.

Orchardists and Nursery Tree Growers Reminded of TAP Program Requirements

Orchardists and nursery tree growers who suffer tree, bush or vine losses prior to October 1, 2011, must file for loss within 90 calendar days from the disaster event or the date when the loss is apparent to be eligible for benefits under the Tree Assistance Program (TAP).

TAP provides help to orchardists and nursery tree growers who produce trees, bushes and vines for commercial purposes, to replant or rehabilitate trees, bushes and vines damaged or destroyed by natural disasters. Eligible trees, bushes and vines are those from which an annual crop is produced for commercial purposes. Nursery trees include ornamental, fruit, nut and Christmas trees produced for commercial sale. Trees used for pulp or timber are ineligible.

To be eligible for TAP, producers must have suffered more than a 15 percent death loss due to a natural disaster after adjustment for normal mortality. TAP is a cost-reimbursement program, with payments covering up to 70 percent of replant costs and 50 percent of pruning, removal and other salvaging costs for replacing or salvaging damaged trees, bushes and vines, or preparing land to plant new trees, bushes and vines. Producers can receive assistance for a cumulative total of up to 500 acres of trees, bushes or vines for the life of the program. Producers must also have purchased a policy or plan of insurance under the Federal Crop Insurance Act or Noninsured Crop Disaster Assistance Program.

For more information about the new TAP program, please contact your county FSA office.



Livestock Producers Reminded of 2011 Livestock Disaster Program

Eligible producers who lose livestock due to adverse weather, such as blizzards, disease, extreme cold, extreme heat and lightning, on or after January 1, 2011, and before October 1, 2011, can sign up for the Farm Service Agency's (FSA) Livestock Indemnity Program (LIP).

Livestock losses had to occur no later than 60 days after the adverse weather event, but prior to October 1, 2011.

For livestock losses that occur in calendar year 2011, producers will have the earlier of 30 days after the death to file a notice of loss to FSA, or before October 31, 2011. In addition, producers will have until January 30, 2012, to apply for payment.

Adequate documentation must prove the death of eligible livestock occurred as a direct result of an eligible adverse weather event in the calendar year for which benefits are being requested. If adequate verifiable proof of death records documentation is not available, a livestock producer may provide reliable records, along with verifiable beginning and ending inventory, as proof of death.

Certifications of livestock deaths by third parties, who are not affiliated with the farming operation, may be accepted only if verifiable proof of death records or reliable proof of death records along with verifiable beginning and ending inventory records are not available.

LIP payments will be based on 75 percent of the fair market value of the livestock as determined by FSA.

Producers need to contact their local FSA County Offices to sign up for LIP. Producers can also learn more about LIP by visiting www.fsa.usda.gov.

2011 ELAP Loss Requirements Reminder

Eligible producers who lost livestock, honeybees, farm-raised fish, or harvested and purchased feed due to adverse weather before October 1, 2011, can sign up for the USDA Farm Service Agency's (FSA) Livestock, Honey Bees, and Farm-

Raised Fish Program (ELAP) by filing a notice of loss by the earlier of 30 days of the loss occurring or before October 31, 2011. Livestock losses due to wolf depredation and honeybee losses due to colony collapse disorder (CCD) are also eligible.

Producers with livestock, honeybee, or farm-raised fish losses that are not covered by the Livestock Indemnity Program, Livestock Feed Program, or the Supplemental Revenue Assistance Program may be eligible for ELAP.

Eligibility provisions for ELAP also include honeybee and farm-raised fish producers, who did not replace their losses from natural disaster, to be eligible for ELAP payments based on the fair market value of the losses. In addition, documentation requirements of losses for honeybee producers who suffered losses due to CCD, allow documentation by an independent third party for losses for 2011.

ELAP applicants are eligible for:

- payments based on 60 percent of the average fair market value, as determined by FSA, of:
 - lost farm-raised bait or game fish
 - honeybees in excess of normal honeybee mortality, as established by FSA
 - purchased or harvested feed lost

The payment rates, established by FSA, for 2011 honeybee colonies and hives are based on the average fair market values of honeybee colonies and/or hives. FSA has established the following average fair market values for 2011 honeybee losses:

- \$70 per honeybee colony
- \$200 per honeybee hive.

Feed loss payments are 60 percent of the cost of purchased or harvested feed stuff and grazing losses are 60 percent of value, as determined by FSA.

Payments may be factored if national ELAP fund requests exceed \$50 million for a calendar year.

To qualify for the Emergency Livestock Assistance Program, producers must meet the risk management purchase requirement by either obtaining a policy or plan of insurance, under the Federal Crop Insurance Act or NAP coverage. Please



check with your local office or FSA's website on the coverage requirements for specific programs. Producers considered socially disadvantaged, a beginning farmer or rancher, or a limited resource farmer may be eligible for these disaster programs without a policy or plan of insurance or NAP coverage.

Additional information on ELAP is available at the local FSA county offices or on the internet at www.fsa.usda.gov.



Marketing Assistance Loans

A Marketing Assistance Loan (MAL) is available to producers who share in the risk of producing a crop. To be eligible, a producer must maintain continual beneficial interest in the crop from harvest through the earlier of the date the loan is repaid or CCC (Commodity Credit Corporation) takes title to the commodity.

Beneficial interest means retaining the ability to make decisions about the commodity; responsibility for loss or damage to the commodity; and title to the commodity. Once beneficial interest in a commodity is lost, the commodity is ineligible for loan - even if the producer regains beneficial interest.

Commodity loan eligibility also requires compliance with conservation and wetland protection requirements; beneficial interest requirements, acreage reporting and ensuring that the commodity meets CCC minimum grade and quality standards. For commodities to be eligible, they must have been produced by an eligible producer, be in existence and in a storable condition and be merchantable for food, feed or other uses as determined by CCC. The quality of the commodity in farm storage must be maintained throughout the term of the loan.

Producers do not have to participate in the Direct and Counter-Cyclical and/or ACRE programs to be eligible for commodity loans.

Violating provisions of a marketing assistance loan may trigger administrative actions, such as assessing liquidated damages, calling the loan and denial of future farm-stored loans.

Farm Storage Facility Loan Program Available to Producers

Wisconsin Farm Service Agency (FSA) reminds producers who may be considering upgrading or adding extra storage space for harvested crops this spring that the Farm Storage Facility Loan (FSFL) program provides low interest loans for building or upgrading storage facilities.

The maximum principal amount of a loan through FSFL has increased to \$500,000 per structure. Participants are required to provide a down payment of 15 percent, with CCC providing a loan for the remaining 85 percent of the net cost of the eligible storage facility and permanent drying and handling equipment. Loan terms of seven, 10 or 12 years are now available depending on the amount of the loan. Interest rates for each loan term are different and are based on the rate which CCC borrows from the Treasury Department. Currently interest rates are 2.25 percent for a 7-year loan, 3 percent for a 10-year loan, and 3.375 for a 12-year loan, however interest rates change monthly.

Payments will also be available in the form of a partial disbursement and a remaining final disbursement. The partial disbursement will be available after a portion of the construction has been completed. The final fund disbursement will be made when all construction is completed. The maximum amount of the partial disbursement will be 50 percent of the projected and approved total loan amount. The partial disbursement is only available on the portion already constructed.

Applications for FSFL must be submitted to the FSA county office that maintains the farm's records. An FSFL must be approved before any site preparation or construction can begin.

The following commodities are eligible for farm storage facility loans:

- Corn, grain sorghum, rice, soybeans, oats, peanuts, wheat, barley or minor oilseeds harvested as whole grain
- Corn, grain sorghum, wheat, oats or barley harvested as other-than-whole grain
- Pulse crops – lentils, small chickpeas

- and dry peas
- Hay
- Renewable biomass
- Fruits (including nuts) and vegetables – cold storage facilities
- Honey

For more information about FSFL, please visit your FSA county office or www.fsa.usda.gov.



Entrepreneurship Loans

FSA 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, produce sufficient income to repay the loan and provide the youth with practical business and educational experience. The maximum loan amount is \$5,000.

Beginning Farmer Loans

FSA assists beginning farmers and ranchers 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 any loan assessment and borrower training in financial and production management program sponsored by FSA
- Does not own a farm greater than 30 % of the median size farm in the county.

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 loan programs available to assist applicants to begin or continue in agriculture production. Loans are available for

operating type loans and/or purchase or to improve farms or ranches.

While all qualified producers are eligible to apply for these loan programs, the FSA has provided targeted funding for members of Socially Disadvantaged groups.

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 a group.

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

Wisconsin DNR Looking for Properties to Lease for Public Hunting

The Wisconsin Department of Natural Resources has received funds for the Voluntary Public Access (VPA) Program and is looking for interested participants. VPA provides incentive payments to private landowners who voluntarily open up their land for public access. Properties would be accessible to the public for hunting, fishing, trapping, and wildlife observation. Eligible land types include grassland, wetland, forestland, and in some cases agriculture land. Land enrolled in conservation programs such as the Conservation Reserve Program (CRP), State Acres for Wildlife Enhancement (SAFE), Wetlands Reserve Program (WRP), and Managed Forest Law (MFL) may also be eligible for enrollment. Annual payment rates are based on the offered land type (Agriculture land = \$3/ac, Grassland/Wetland = \$10/ac, and Forestland = \$15) and lease lengths are up to three years. Priority will be given to offered parcels greater than 40 acres in size with at least 25% usable cover and near existing properties open to public hunting and/or fishing. Interested participants should contact Melissa Keenan, VPA Program Coordinator at 608-266-5560 to enroll. For more information on the program visit dnr.wi.gov and search "VPA".



Dates to Remember	
September 1	-Deadline to submit the 2010 Production Certification for the Farm Benchmark Yield & the Actual Farm Yield for ACRE -Deadline to obtain NAP coverage for ginseng, turf grass sod, aquaculture, Christmas trees, floriculture & mushrooms
September 5	Labor Day Holiday; FSA offices closed
September 15	Haying completed on any CRP acreage approved for haying
September 30	-Deadline to obtain 2011 NAP coverage for winter & spring plantings of winter wheat, rye, barley, triticale and mint -Deadline for 2011 NAP coverage for forage crops, including pasture land forage -Deadline to remove livestock from approved grazed CRP acres, report acres grazed or hayed and report tonnage harvested or number of livestock grazed
October 31	Deadline to file notice of loss for ELAP & LIP: Earlier of within 30 days when loss is apparent or October 31
November 4	COC Election ballots mailed to eligible producers
November 11	Veteran's Day; FSA offices closed
November 20	Deadline to obtain NAP application for perennial crops such as strawberries, blueberries, cranberries, apples, pears, honey, maple sap, etc.
December 5	Last day to return committee election ballots to local FSA offices
Continuous	-Conservation Reserve Program (CRP) continuous sign-up -CREP sign-up -SAFE sign-up -Farm Storage Facility Loans

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program and activities on the basis of race, color, national origin, age, disability, and where applicable, sex marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice & TDD). To file a complaint of Discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Ave., SW, Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.