



Weston County News

May/June Newsletter



Weston County
USDA Service Center

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DEADLINES, DEADLINES, AND MORE DEADLINES!!!!!!!!!!!!

DCP Signup Deadline JUNE 1, 2010

Signup for the 2010 Direct and Counter-cyclical Payment (DCP) Program continues until June 1, 2010. The June 1, 2010 deadline is mandatory for all participants. FSA will not accept any late-filed applications. ***If you have not returned your DCP contract, please call the FSA Office to schedule an appointment.***

ACRE Program Deadline JUNE 1, 2010

Through ACRE, USDA's Farm Service Agency (FSA) offers producers an alternative to Direct and Counter-cyclical (DCP) payments. ACRE payments are made when both state and farm revenues are below historic levels. By participating in ACRE, producers elect to forgo counter-cyclical payments. Producers also elect to receive a 20-percent reduction in direct payments and a 30-percent reduction in loan rates. A decision to elect ACRE binds the producer to the program from the program year elected by the producer through the 2012 crop year. ***All*** producers on the farm must agree to the ACRE Program election. Producers must annually report acreage and production to FSA. Failure to do so may result in ineligibility. ACRE payments are revenue-based payments and are tied to crop production and the National Average Market Price for planted, and considered planted, covered commodity crops on the farm. ACRE payment acreage is limited to the total amount of base acres on the farm, and can only be issued for a crop if two triggers are met for the covered commodity crop.

- State Trigger: The Actual State Revenue for the program year must be less than the State ACRE Guarantee.
- Farm Trigger: The participating farm's Actual Farm Revenue for the program year must be less than the Farm ACRE Guarantee.

An ACRE factsheet and ACRE background information detailing the State and farm revenue calculations are posted at www.fsa.usda.gov/dcp. The June 1, 2010 deadline is mandatory for all participants. FSA will not accept any late-filed applications. ***If you have not returned your ACRE contract, please call the FSA Office to schedule an appointment.***

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ACREAGE REPORTING DEADLINE JULY 1, 2010

The acreage reporting deadline is fast approaching. Filing an accurate acreage report for all crops and land uses, including failed acreage and prevented planting acreage, can prevent the loss of benefits for a variety of programs. Failed acreage must be reported within 15 days of the disaster event and before disposition of the crop. Prevented planting must be reported no later than 15 days after the final planting date. Acreage reports are required for many FSA programs. Some programs that require a crop report for benefits are: DCP/ACRE, NAP, LFP, ELAP, LDP/MAL and CRP. If you are participating or plan on participating in any of these programs, acreage reports are **required**. ***If you have not completed a 2010 acreage report, please call the FSA Office to schedule an appointment.***

2009 Production Reporting For NAP Crop(s) Deadline JULY 1, 2010

Production records for individual crops need to be filed with our office to establish an approved NAP yield. If this is the first year you participated in NAP, you can provide production and acreage information from prior years to establish your yield. If you participated in NAP in previous years, you must report your production and acreage on a yearly basis to keep your yield up-to-date. Records submitted must be reliable and verifiable. Records need to show crop disposition. It is recommended producers submit production records as soon as possible after harvest. ***If you have not reported 2009 NAP crop production, please call the FSA Office to schedule an appointment.***

Farm Reconstitutions Deadline

In program terminology, farms are constituted to group all tracts having the same owner and the same operator under one farm serial number. When changes in ownership or operation take place, a farm reconstitution is necessary. The reconstitution — or recon — is the process of combining or dividing farms or tracts of land based on the farming operation.

The following are the different methods used when doing a farm recon.

- **Estate Method** — the division of bases, allotments and quotas for a parent farm among heirs in settling an estate;
- **Designation of Landowner Method** — may be used when (1) part of a farm is sold or ownership is transferred; (2) an entire farm is sold to two or more persons; (3) farm ownership is transferred to two or more persons; (4) part of a tract is sold or ownership is transferred; (5) a tract is sold to two or more persons; or (6) tract ownership is transferred to two or more persons. In order to use this method the land sold must have been owned for at least three years, or a waiver granted, and the buyer and seller must sign a Memorandum of Understanding;
- **DCP Cropland Method** — the division of bases in the same proportion that the DCP cropland for each resulting tract relates to the DCP cropland on the parent tract;
- **Default Method** — the division of bases for a parent farm with each tract maintaining the bases attributed to the tract level when the reconstitution is initiated in the system.

If payments have already been issued on a particular farm, the reconstitution will be effective for the next year, unless the payments are refunded. ***Request for recons should be filed by June 1 but not later than August 1, 2010.***

Payment Eligibility Change for 2010

USDA has amended the rules that require producers to be '**actively engaged**' in farming. A member of a legal entity must make contributions of active personal labor and/or active personal management to the farming operation and these contributions must be on a regular basis, be identifiable, and be separate contributions from other members of the entity.

The new rule allows an exception for the members if both the following are met:

- At least **50%** of the of the interest is held by members that are providing active personal labor or active personal management and

- The total direct payments received both directly and indirectly by all members does not exceed the amount of 1 limitation.

Supplemental Revenue Assistance Payments (SURE) Program

Signup for the SURE Program for 2008 crop losses began January 4, 2010. Please call for an appointment. A signup deadline has not been announced. SURE is available to eligible producers on:

- Farms in counties with Secretarial disaster declarations, including contiguous counties that have incurred crop production losses and/or crop quality losses during the crop year. (Weston County is eligible for the 2008 crop year as Custer County, SD received a Disaster Designation.)

At a minimum, to be eligible for the SURE Program, the producer must have purchased or be enrolled in the following for the 2008 crop year:

- A plan of crop insurance of at least catastrophic (CAT) level for all insurable crops on all farms.
- And/or Non-insured Crop Disaster Assistance Program (NAP) coverage for all non-insurable crops on all farms.

Note: RMA crop Insurance or NAP coverage on **grazing land** does not have to be purchased in order to be eligible for SURE. SURE does not pay for losses on crops intended for grazing. In order to receive payments, the farm must suffer at least a 10% eligible production loss on at least one crop of economic significance. Producers with qualifying losses are eligible to receive 60% of the difference between the SURE Disaster Program Guarantee and the actual farm revenue. The Disaster Program Guarantee is determined by totaling the calculated guarantee for each crop. For insured crops, the guarantee is based on the level of coverage the producer has elected. The Total Farm Revenue calculation includes estimated crop value, Crop Insurance Indemnities, NAP payments, Marketing Assistance Loans / LDP, other disaster payments, and DCP payments (15% of Direct Payments plus Counter-cyclical payments and ACRE payments).

Adjusted Gross Income (AGI)

USDA has a Memorandum of Understanding with the Internal Revenue Service to establish an electronic information exchange process for verifying compliance with the adjusted gross income (AGI) provisions for farm programs. 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.

The agreement ensures that payments are not issued to producers whose AGI exceeds certain limits. The limits set in the 2008 Farm Bill are \$500,000 nonfarm average AGI for commodity and disaster programs; \$750,000 farm average AGI for direct payments; and \$1 million nonfarm average AGI for conservation programs.

Participants in 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. These forms may be obtained from local FSA and NRCS offices or online at: <http://forms.sc.egov.usda.gov/eforms/mainservlet>. It is recommended by this office that producers file for both FY 2009 and FY 2010.

*/s/ Peggy M. Livingston,
County Executive Director*

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OF AGRICULTURE
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Return Service Requested



IMPORTANT DATES TO REMEMBER

May 31 -----Memorial Day Holiday – Office Closed
June 1 -----DCP/ACRE Signup Deadline
June 15 -----Consent to Disclose Tax Information to IRS
July 1 -----2009 NAP Crop Production Deadline
July 1 -----Acreage Reporting Deadline
July 5 -----Independence Day Holiday – Office Closed
On Going -----Continuous Conservation Reserve Program Signup

For more information on any Farm Service Agency program, visit or call our office, or visit the FSA Homepage at www.fsa.usda.gov