



Sheridan - Johnson

September 2011

Sheridan – Johnson County FSA Office
1949 Sugarland Drive, Suite 126
Sheridan, WY 82801

(307)672-5846 Ext. 2

Toll Free Number:
1-866-262-4396

FSA Office Personnel:
Linda Benzel, Acting CED
Janice Wheeler, PT

County Committee Members:

William White, Chairperson
Juaquin Michelena, Vice
Chairperson
Susan Moyes, Regular Member
Santiago Curuchet, Regular
Member
Steve Schuette; Regular Member



Dates to Remember:

September 5 – Labor Day Holiday
– Office Closed

September 28 – JCP&Z Workshop
at Kaycee School

September 29 – JCP&Z Workshop
at Buffalo High School

September 30 – Succession in
Interest Report to County Office

October 10 – Columbus Day
Holiday – Office Closed

October 12 – JCP&W Workshop at
Kaycee School

October 13 – JCP&W Workshop at
Buffalo High School

Hispanic and Women Farmers

A process to resolve the claims of Hispanic and women farmers and ranchers who believe they were discriminated against when seeking USDA farm loans has been established.

If you believe that the United States Department of Agriculture (USDA) improperly denied farm loan benefits to you between 1981 and 2000 because you are Hispanic, or because you are female, you may be eligible to apply for compensation.

For additional information on this and other settlement issues contact:

- **Hispanic and Women Farmer Claims Process, please visit:**

www.farmerclaims.gov or call 1-888-508-4429

- **Pigford – The Black Farmers Discrimination Litigation, please visit:**

www.blackfarmercase.com or call 1-866-950-5547

- **Keepseagle - The Native American Farmers Class Action Settlement please visit:**

www.IndianFarmClass.com or call 1-888-233-5506

eNewsletters and eUpdates through GovDelivery! ◀

The Farm Service Agency is providing more cost-effective and resource-conserving options to deliver news, deadlines and bulletins. You have the option to receive information instantly and electronically from your state or local FSA office directly to your farm or ranch. Several states already have GovDelivery for news releases.

Take a look at your current state and county options for electronic delivery by visiting the FSA home page at www.fsa.usda.gov

Spousal Signatures ◀

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.

Marketing Assistance Loans ◀

A Marketing Assistance Loan (MAL) is available for producers who share in the risk of producing the 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 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 Commodity Credit Corporation 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.

The most common violations are removing or disposing of a commodity being used as loan collateral without prior authorization and providing an incorrect quantity certification.

IRS Form 1099-G ◀

Producers annually receive CCC-1099-Gs detailing payments producers have received from the Commodity Credit Corporation. The annual report of program payments on CCC-1099-Gs is a service intended to help our customers report taxable income. It is not intended to replace the producers' responsibilities to report income to 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.

Sodbuster Regulations ◀

Farmers and ranchers should be aware that if they use highly erodible land for crop production without proper conservation measures, they risk losing eligibility to participate in Farm Service Agency programs.

Before producers clear, plow or otherwise prepare areas not presently under crop production for planting, they are required to file an AD-1026, indicating the area to be brought into production.

If Natural Resources Conservation Service indicates an area will be highly erodible land, the producer will be required to develop and implement a conservation plan on the affected acreage, before bringing land into production.

In addition, producers and the producer's affiliates have to file an AD-1026 with the staff in the administrative or control county office before any farm program payments can be made. The AD-1026 is the producer's signed certification that HELC, as well as wetland conservation, provisions will not be violated.

Succession in Interest ◀

If you have made any changes that affect your interest in base acres since you signed your last Direct and Counter-cyclical Program contract, you must report these **successions-in-interest** to the county committee by Sept. 30, so a determination can be made on who is eligible for the program.

Changes that qualify as a succession-in-interest include:

- A sale of land
- A change of operator or producer, including a an increase or decrease in the number of partners
- A foreclosure, bankruptcy or involuntary loss of the farm.
- A change in producer shares to reflect changes in the producer's share of the crop(s) that were originally approved on the contract.

If a succession-in-interest has taken place, you, as the "predecessor," are required to refund any advance DCP payments you received for the affected base acres before a payment can be made to the "successor." Not reporting a succession-in-interest can result in contract termination and a loss of program benefits for all producers involved.

Non-Insured Crop Disaster Assistance Program (NAP)

December 1, 2011 is the application deadline for the Non-Insurable Crop Disaster Assistance Program.

NAP provides financial assistance to eligible producers affected by crop losses due to natural disasters. FSA's NAP coverage is for non insurable crops not covered by RMA. The application service fee for NAP is \$250.00 per crop per county, with a county maximum of \$750.00. The fee cannot exceed a total of \$1,875.00 per producer with farming interests in multiple counties.

An important reminder: As part of the eligibility requirements to receive payments producers are required to carry Crop Insurance coverage or NAP coverage for participation in the following Disaster Programs:

SURE (Crop Disaster Program): Producers must purchase at least a CAT level of crop insurance for **all** insurable crops and NAP coverage for **all** non-insurable crops, excluding crops intended for grazing (pasture).

LFP (Livestock Forage Program): Producers must purchase at least a CAT level of insurance on rangeland. There are two options available: you may either contact your insurance agent to purchase PRF insurance, or you may purchase NAP insurance from your local FSA office.

ELAP (Emergency Livestock Assistance Program): Producers must purchase at least CAT level of coverage on all insurable crops and NAP coverage on all non-insurable crops, excluding crops intended for grazing (pasture).

NAP Loss Filing

For losses on crops covered by the Non-insured Crop Disaster Assistance Program (NAP) and crop insurance, you must file a CCC-576 (Notice of Loss) in the FSA County Office within 15 days of the occurrence of the disaster or when losses become apparent. The CCC-576 is used to report failed acreage and prevented planting and may be completed by any producer with an interest in the crop. Timely filing a Notice of Loss is required for all crops including grasses.

If filing for prevented planting, an acreage report and CCC-576 must be filed within 15 calendar days of the final planting date for the crop.

Actively Engaged

FSA wants to remind producers about the rules that govern the requirements to be 'actively engaged' in farming. These rules apply to eligibility for payments under the Direct and Counter-cyclical Program (DCP) or Average Crop Revenue Election (ACRE) program administered by FSA.

Normally the stockholder or a member of a legal entity **must** make contributions of active personal labor and/or active personal management for the farming operation. The contributions are to be performed on regular basis, must be identifiable, and separate from the contributions of others.

The exception to this rule for a stockholder or member of a legal entity only occurs if both of the following apply: At least half of the interest in the legal entity is held by stockholders or members who are providing active personal labor or active personal management; and the total direct payments received, both directly and indirectly, by the legal entity and each of the members don't exceed \$40,000.

Important Dates to Remember

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◆◆◆ ZONING WORKSHOPS FOR JOHNSON COUNTY ◆◆◆

The Johnson County Planning and Zoning (JCP&Z) Commission is encouraging residents and property owners from the county to attend the scheduled WORKSHOPS (NOT hearings) for proposed zoning regulations for Johnson County:

Wednesday, September 28, 2011 at 7:00 PM – Kaycee School
Thursday, September 29, 2011 at 7:00 PM – Buffalo High School
Wednesday, October 12, 2011 at 7:00 PM – Kaycee School
Thursday, October 13, 2011 at 7:00 PM – Buffalo High School

Draft Zoning Regulations may be viewed in advanced and are available in one of three ways:

- 1) On-line placed on the county website at:
http://71.6.170.26/revize/johnsoncounty/government/planning_and_zoning/planning_and_zoning_documents.html
- 2) CD's available at the JC Planning Office (26 N. DeSmet Street, Buffalo)
- 3) Hardcopy (also available at the JC Planning Office)

Workshops will allow the public to make suggested improvements to the documents or potentially overlooked items as related to the scope of the task. Remarks and written comments will focus on necessary changes/additions to the documents. Comments on whether or not there should be zoning will be taken at the hearings.

Anyone living in or owning property in our county is affected by land use planning. The JCP&Z Commission urges people to participate in this phase of the project.