Ties to the Land Your Resource Partners in Kenosha and Racine Counties:

Racine County Land Conservation Division University of Wisconsin Extension

Farm Service Agency Office

Kenosha County Land & Water Conservation Natural Resources Conservation Service

April/May/June 2009

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DCP/ACRE UNDER THE 2008 FARM BILL

Direct and Counter-cyclical (DCP) Program payments are calculated using base acres and payment yields established for each farm. Eligible producers receive direct payments at rates established by statute regardless of market prices. For 2009, eligible producers may request to receive advance direct payments based on 22 percent of the direct payment for each commodity associated with the farm.

Producers who are eligible for the DCP Program will also be eligible to enroll in the Average Crop Revenue Election (ACRE) Program. The enrollment period for the ACRE Program will begin in the spring (signup date is not yet known). Producers may first enroll in the DCP Program, elect to receive advance direct payments and then later modify their enrollment to include the ACRE program or they may wait and elect to enroll in DCP and ACRE at the same time in Spring 2009.

The optional ACRE Program provides a safety net based on State revenue losses and acts in place of the pricebased 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 the 2009 crop, the 2-year price average will be based on the 2007 and 2008 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%, and marketing assistance loan rates are reduced by 30 %. (continued on page 2)

<u>The decision to enroll in the ACRE Program is</u> <u>irrevocable</u>. The owner of the farm and all producers on the farm must agree to elect ACRE. Once the one-time election is made, the farm will be need enrolled annually through 2012. Signup for either program must be completed by June 1st every year.

JUNE 1ST DEADLINE- NO EXCEPTIONS

Remember- it does not matter if you sign up for the DCP program, or choose to enroll in ACRE- you MUST come into the FSA office and sign a contract by June 1st, 2009. This deadline is a mandatory deadline for all participants. The FSA office cannot accept any late-filed applications. Please make plans to call the office and schedule an appointment soon!

OWNER'S SIGNATURES NEEDED

If you have picked up any new land, or if you have any new owners, the FSA office must have a signature of the new owner acknowledging that you will be running the farm. A new requirement for this year is that we MUST have this signature by September 30th, 2009. If you do not bring in the owner's signature by September 30th, you will not receive a program payment for the 2009 crop year.

FINANICIAL INFO AVAILABLE ONLINE

If you would like to be able to access your Farm Service Agency and Natural Resources Conservation Service program information from home, go to www.customerstatement.usda.gov From this webpage you must first register for a Level 2 e-Authentication account, and then you will be able to keep up with all FSA and NRCS program information in the convenience of your own home!

HIGHLY ERODIBLE LAND (HEL) AND WETLAND CONSERVATION (WC) COMPLIANCE

Have you checked with the NRCS office before fixing or adding new tile on cropland or made sure you were following a plan on highly erodible land? Please remember that all participants in USDA programs are required to have a conservation system in place on all the highly erodible land (HELC) that they operate and all participants are also required to follow wetland compliance (WC) rules for the land that they operate. Several areas where problems can arise when complying with HELC and WC provisions are; renting new cropland, purchasing new land, breaking out additional crop rotation, and changing, or removing existing conservation practices. It is very important that you contact the FSA and/or NRCS office **before** doing any of the above or modifying - tiling, draining, dredging, filling, or leveling, any wetland or drainage ditch. Failure to obtain advance approval for any of these situations can result in loss of all Federal payments and eligibility.

CARBON CREDITS ON CRP

Can I collect carbon credits on land enrolled in CRP? Yes! Collecting carbon credits on land enrolled in CRP is an authorized use of the land. It is not considered commercial use. You are not required to contact the FSA office if you begin to receive carbon credit payments on CRP land.

ADJUSTED GROSS INCOME (AGI) LIMITS

The Adjusted Gross Income (AGI) provisions have changed, whereas the rule was the average AGI of the individual or entity could not exceed \$2.5 million unless 75% of the income was from farming.

The new rule has three different AGI limits.

- If a person or legal entity has an average adjusted gross nonfarm income that exceeds \$500,000, the person or legal entity is ineligible for all commodity program payments and benefits.
- If a person or legal entity has average adjusted gross farm income that exceeds \$750,000 the person or legal entity is ineligible for direct payments under the Direct Counter-Cyclical Program.
- If a person or legal entity has average adjusted gross nonfarm income that exceeds \$1,000,000 the person or legal entity is ineligible for all conservation program benefits unless two thirds of the total AGI is average adjusted gross farm income.

The rules regarding what is included in gross farm income have expanded.

Using IRS Data for AGI Determinations		
If determining	THEN see	AND use the amount entered
AGI for	IRS form	on
Corporations	1120	Line 30 (total taxable income plus Line 19 (charitable contributions) for
_		years 2000 through 2008
Estates or trusts	1041	Line 17 (AGI) plus Line 13 (charitable deductions) for years 2000 through 2008
LLC's, LLP's, LP's or other similar type organization	1065	Line 22 (total income from trade or business) plus Line 10 (guaranteed payments to partners) for years 2000 through 2008
Persons	1040	Line 37 (AGI) for 2005 through 2008 Line 36 (AGI) for 2004 Line 34 (AGI) for 2003 Line 35 (AGI) for 2002 Line 33 (AGI) for 2001 Line 33 (AGI) for 2000
Tax-exempt or charitable organizations	990-T	Line 34 (unrelated business taxable income) minus income that CCC determined to be from non-commercial activity for years 2000 through 2008

PAYMENT LIMITATION REQUIREMENTS CHANGED

For many years, payment limitation rules have been part of eligibility requirements for various programs. However, the 2008 Farm bill brought some significant changes and some of these rule changes are listed below.

- Payment limits will no longer be limited by the definition of "persons". Payment limitation will be limited by direct attribution to an individual natural person.
- Payment limitation will be controlled at the entity level first and once the criteria are applied, then payment earned is attributed to the individual members based on their individual entity shares.
- There are no longer restrictions on the number of entities that an individual can receive payment through as long as the individual payment limitation is not exceeded.

Another major change in the 2008 Act is the requirement that each partner, stockholder, or member with an ownership interest in an entity such as a corporation, LLC, LLP, LP, or other similar legal entity must make a contribution of active personal labor, active personal management or a combination of the two that is:

- performed on a regular basis
- identifiable and documentable
- separate and distinct from contributions of any other partner, stockholder, or member.

If this requirement is not met, the individual's share in the entity will be ineligible for payment. Contact your local county office for more details regarding these policy changes.

ORANGE PAYMENT ENVELOPES

If you have ever received a payment through the FSA office, you may recall receiving an orange envelope in the mail that held your payment statement. Many producers used the orange envelope as a symbol that "the money was in the bank." Please take note- due to payment centralization; you will NO LONGER receive a payment statement (enclosed in an orange envelope) from this office. All payment statements will now come in a white envelope with the Racine Kenosha Milwaukee FSA return address on it. These envelopes are mailed from Kansas City, and we have no control over when and how they are mailed.

Did you know, the USDA Resales Website: <u>www.resales.usda.gov</u> provides government owned real estate and potential foreclosure sales for farm/ranch properties, houses, lots and buildings.



PERMANENT DISASTER LEGISLATION

SURE provides benefits for farm revenue losses due to natural disaster. It is the 2008 Farm Bill's successor to the prior Ad Hoc Crop Disaster Programs also known as Crop Disaster Programs (CDP). Unlike the prior USDA Disaster Programs, SURE is legislated through 2011.

For SURE program purposes, a "farm" refers to all acreage in all counties that is planted or intended to be planted to crops that are for sale by the producer, and all hay crops.

SURE payments are available to producers on farms that:

• are located in a county covered by a qualifying natural disaster declaration (USDA Secretarial Declarations only) or a contiguous county

OR

• The actual production is less than 50% of the normal production. In order to receive payments, the farm must suffer at least a 10% eligible production loss on at least one crop of economic significance.

For a producer to be eligible for the SURE Program, **all** of the farming operation's crops (planted or intended) that are of economic significance must be covered by either federal Crop Insurance (CI) or FSA's Noninsurable Crop Disaster Assistance Program (NAP) coverage. Coverage must also be obtained for other crops for which CI or NAP is available, such as nursery, honey, aquaculture, and floriculture. However, Statute does not require coverage for grazed crops for the SURE. **Note:** Eligible farmers and ranchers who meet the definition of "Socially Disadvantaged", "Limited Resource", or "Beginning" do not have to meet this requirement.

Producers with qualifying losses are eligible to receive 60% of the difference between the SURE Disaster Program Guarantee and the actual Farm Revenue Disaster Program Guarantee. The 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. Higher levels of coverage will result in higher crop guarantees. For NAP crops, the guarantee is based on a formula that includes the yield, acreage, and price factors. Total Farm Revenue Included in the Total Farm Revenue calculation are estimated crop value, CI indemnities, NAP payments, Market Assistance Loan proceeds, other disaster payments, Direct and Counter Cyclical, DCP, payments (15% of direct payments, plus cc payments and ACRE payments.)

United States Department of Agriculture NRCS Natural Resources Conservation Service

Jerry Hebard, District Conservationist Phone: (262) 878-1243 ext. 108 E-mail: jerry.hebard@wi.usda.gov

Pollinators Are the Good Guys

Pollinators are an integral part of our environment and our agricultural systems; they are important in 35% of global crop production. Animal pollinators include bees, butterflies, moths, wasps, flies, beetles, ants, bats and hummingbirds. Native bees are the most important pollinators in temperate North America.

Worldwide, there are an estimated 20,000 species of bees, with approximately 4,000 species native to the United States. The non-native European honey bee (Apis mellifera) is the most important crop pollinator in the United States. However, the number of honey bee colonies is in decline because of disease and other factors, making native pollinators even more important to the future of agriculture. Native bees provide free pollination services, and are often specialized for foraging on particular flowers, such as squash, berries, or orchard crops. This specialization results in more efficient pollination and the production of larger and more abundant fruit from certain crops. Native bees contribute an estimated \$3 billion worth of crop pollination annually to the U.S. economy.

Undeveloped areas on and close to farms can serve as long-term refuge for native wild pollinators. Protecting, enhancing or providing habitat is the best way to conserve native pollinators and, at the same time, provide pollen and nectar resources that support local honey bees; on farms with sufficient natural habitat, native pollinators can provide all of the pollination for some crops.

Habitat enhancement for native pollinators on farms, especially with native plants, provides multiple benefits. In addition to supporting pollinators, native plant habitat will attract beneficial insects that predate on crop pests and lessen the need for pesticides on your farm. Pollinator habitat can also provide habitat for other wildlife, such as birds, serve as windbreaks, help stabilize the soil, and improve water quality.



Bumblebee on Goldenrod

Many growers may already have an abundance of habitat for native pollinators on or near their land; having semi-natural or natural habitat available significantly increases pollinator populations. Marginal lands such as field edges, hedgerows, subirrigated areas, and drainage ditches offer both nesting and foraging sites. Woodlots, conservation areas, utility easements, farm roads, and other untilled areas may also contain good habitat. Often, marginal areas or poor quality soils, less fit for crops, may be useful instead as pollinator habitat. Provided is advice on recognizing specific habitat resources so that they can be factored into farm systems planning.

Landowners who want to take a more active role in increasing their population of resident pollinators can increase the available foraging habitat to include a range of plants that bloom and provide abundant sources of pollen and nectar throughout spring, summer, and fall.

The Natural Resources Conservation Service supports the use of native species in many conservation practices that involve seeding or transplanting. Selecting pollinator-friendly native species for these practices can provide added conservation benefits.

Until April 17th producers may choose to apply for the Environmental Quality Incentive Program (EQIP) in the NRCS office, on practices that encourage pollinators.



DAN TRELOAR - CONSERVATION PLANNER KENOSHA COUNTY PLANNING DIVISION 19600 - 75TH ST. BRISTOL, WI 53104 (262) 857-1895 FAX (262) 857-1920 Email: dtreloar@co.kenosha.wi.us

WISCONSIN WORKING LANDS INITIATIVE

The Wisconsin Department of Agriculture announced the Working Lands Initiative as part of the Governor's Budget. Governor Doyle proposes a number of strategies to protect Wisconsin's Working Lands in his biennial budget for 2009 -2011. Three main components in the budget include updates to the state's current Farmland Preservation Program, the ability for farmers and local governments to establish voluntary Agricultural Enterprise Areas, and a state grant program to help with the purchase of Agricultural Conservation Easements. The Working Lands Initiative will stimulate Wisconsin's economy:

- õ Reposition and promote Wisconsin agriculture for competitiveness
- õ Promote significant investments in new and expanded agricultural enterprises
- õ Permanently stabilize areas for agricultural investment
- õ Increase agriculture's \$51 billion annual contribution to economy

Component I Expand and modernize the state's existing Farmland Preservation Program

- õ Modernize county farmland preservation plans to meet current challenges
- õ Provide planning grants to counties for farmland preservation planning
- õ Establish new standards to increase local flexibility and reduce land use conflicts
- õ Increase income tax credits for program participants
- õ Improve consistency between local plans and ordinances
- õ Simplify the certification process and streamline state oversight
- õ Ensure compliance with state soil and water conservation standards
- õ Assess a conversion fee when land under farmland preservation zoning is re-zoned for other uses

Component II Establish Agricultural Enterprise Areas

õ Encourage farmers and local governments to invest in agriculture

- õ Establish large areas of contiguous land primarily in agricultural use; reducing land use conflicts
- õ Increase income tax credits for program participants
- õ Ensure compliance with state soil and water conservation standards to claim income tax credit

Component III Develop a <u>Purchase of Agricultural</u> <u>Conservation Easement (PACE)</u> matching grant program

- õ Support local initiatives to permanently protect farmland through voluntary purchase of development rights (or PACE) programs
- õ Provide up to \$12 million in state grant funds in the form of matching grants to local governments and non-profit conservation organizations to purchase, on a parcel-by-parcel basis, agricultural conservation easements from willing sellers
- õ Stretch state dollars by requiring grants to be matched by federal grants, local contributions and/or private donations
- õ Establish an advisory council to advise the state on pending grants and proposed easement purchases
- õ Consider the value of the proposed easement to serve a public purpose such as; preservation of agricultural productivity, conservation of agricultural resources, ability to protect or enhance waters of the state, and proximity to other protected land
- õ Ensure consistency of state-funded easement purchases with local plans and ordinances

What is an Agricultural Conservation Easement?

An agricultural conservation easement restricts nonagricultural development of land covered by the easement. Entering into an agricultural conservation easement is a voluntary way for a farm owner to be compensated for permanently limiting development on his or her farmland and protecting important resources. The covered land remains privately owned and managed. Under an easement, a landowner

- 1) Privately owns and manages the land
- 2) Retains land for farming, while augmenting income
- *3) Retains title to the property*
- *4)* Can collect farmland preservation income tax credit
- 5) Continues to be responsible for property tax

For more information contact DATCP at (608) 224-4500 or visit DATCPWorkingLands@wisconsin.gov



Racine County Land Conservation 14200 Washington Ave. Sturtevant, WI 53177 262-886-8479

Staff Contributions by: Chad Sampson, Jonathan Grove, & Krystal Freimark



2009 Conservation Project Funding

Due to reductions in the State's budget, our cost-share program will

not have cost-share available for nutrient management in 2009. Although, the Land & Water Resource Management Program will have cost-share available for other practices, including: grassed waterways, field diversions, barnyards, grade stabilization projects and streambank protection. To apply for costshare, contact our office at 262-886-8479.

WELCOME

To the newest member of the Racine County Land Conservation Staff, Krystal Freimark, Plan Reviewer.

Krystal is no stranger to the workings of the Land Conservation Department (LCD); she was previously employed by Racine County in the Planning & Development Department. Her educational and employment background include the geographic, urban planning, and GIS fields. Her current position will focus on conservation and agricultural preservation practices promoted by the LCD department (i.e. CREP, Farm Preservation Program, and shoreland contract/erosion issues).



Definition: <u>Preservation</u>



- × to keep in existence
- × to keep safe from harm
- ***** to maintain and reserve

However you define it, preservation was the word of

the day on February 26, 2009 at the Southeast Wisconsin Agricultural Land Preservation Program workshop held at the Burlington Gateway Campus. Community members, elected officials, and local farmers were on-hand to discuss the challenges of preserving farmland in an urban corridor.

Bob Wagner of the American Farmland Trust, emphasized that agriculture should be planned for and not planned around; his toolbox for farmland preservation includes, Purchase of Agricultural Conservation Easements (PACE), Transfer of Developmental Rights, and Agricultural Districts. One of the case studies discussed was the Town of Dunn, Dane County, Wisconsin where the use of Conservation Easements; a first in Wisconsin, have protected 23 farms (2,822 acres) from development (currently 23 additional applications are pending (1,350 acres)). The total cost-to-date for the preservation efforts is \$5.94 million with over 56% of the funding coming from grants and donations.

Several representatives from the Wisconsin Department of Agriculture, Trade, and Consumer Protection (DATCP) were on hand to discuss the Wisconsin Working Lands Initiative and the changes that are being proposed to the Farmland Preservation Program (FPP). By investing in agricultural enterprises and stabilizing areas for agricultural growth the Wisconsin Working Lands Initiative hopes to preserve farming as a way of life within Wisconsin. The modernization of the FPP includes grant money to update local agricultural preservation plans and zoning ordinances to preserve agricultural, and agricultural related uses (including equine).

Thank you to all participants and organizers for a workshop that placed agricultural preservation in the forefront of active discussions. The workshop provided the tools to preservation; the next step is enacting these methods to protect one of Wisconsin's most precious resources.

www.farmland.org

www.DATCPWorkinglands.Wisconsin.gov



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SAINFOIN NOT RECOMMENDED FOR WISCONSIN

WRITTEN BY: DAN UNDERSANDER, UW COOPERATIVE EXTENSION FORAGE SPECIALIST

Sainfoin (Onobrychis vicifolia) is deep rooted and very drought-resistant. It yields best on high pH, deep, welldrained soils and will not withstand wet soils or high water tables. It is not as winter hardy as some cultivars of alfalfa. Sainfoin is short lived where root and crown rots are a problem.

Sainfoin has 6 to 14 pairs of pinnate, alternate leaves that are oblong. Sainfoin has pale pin flowers. It grows taller than alfalfa and its stem is hollow. Although very coarse, the forage is highly nutritious. It is not known to cause bloat. Because the plant is rich in tannins, proteins tend to bypass the rumen and be absorbed in the abomasums. It is highly palatable to both sheep and cattle, being preferred over alfalfa. It is relished by deer. Sainfoin may be grazed or used for hay, either along or in mixtures with grasses.

The "seed" used to establish this crop is actually a pod which contains a single seed. Even without the pod, the true seed is large; there are only 28,000 seeds per pound. The recommended seeding rate is 30-40 pounds per acre so seed cost is about \$100 per acre. For good establishment and growth, sainfoin must be inoculated with a special rhizobium just before planting.

Sainfoin does not tolerate competition well during establishment. The vigor of the plants is decreased by clipping during the seedling year so sainfoin should not be harvested in the seeding year. Nitrogen-fixing bacteria have been short-lived or ineffective so that nitrogen fertilization may be required. Sainfoin begins growth in the spring about the same time as alfalfa, but flowers one to two weeks earlier. First cutting hay yields have exceeding those of alfalfa in Montana, but alfalfa yields are greater in subsequent cuttings. Since regrowth is poor, it is best suited to taking one clipping at about the half to full bloom stage. It is not attacked by alfalfa weevil or potato leaf hopper.

New varieties of sainfoin have been released in Montana with improved yield; however these varieties have not been tested in Wisconsin. The lack of yield in the seeding year, adaptation to high pH, lower tolerance of wet soils and susceptibility to crown rot causing short stand life indicate that his species is not likely to be useful in Wisconsin.

UPCOMING EVENTS

Bi-State Horse Conference – *Composting Manure on Small Acreages* Saturday, June 6, 2009 8:30am – noon Hooved Animal Humane Society Woodstock, IL Costs: \$20/adult and \$10 youth before May 30th Late Registration: \$30/adult and \$15/youth Questions: Peg Reedy, Walworth County UWEX, peg.reedy@ces.uwex.edu or 262-741-4961

Tractor Safety Program

For youth between the ages of 12 and 16 June 22 – 26 and 29, 2009 8am – noon Burlington High School Costs: \$45/youth To request registration materials or for questions: Rose Skora, 262-857-1945/Kenosha or 262-886-8460/Racine or <u>rose.skora@ces.uwex.edu</u>

Southeast Wisconsin Rural Landowner Workshop

When: Saturday, November 7th, 2009 Where: Burlington High School

Workshops to be offered include Carbon Credits, Energy Saving and Conservation Options, Raising Poultry, Raising Sheep and Goats, Immunization and Worming Updates for Horses, Legal Aspects to Small Scale Farming, What you Need to Know to Sell at a Farmers Market, Composting, Options for Conservation Practices on the Land: Prairies, Trees, Wetlands and Grasses, The Future of Farming in Wisconsin and the World, and Food Preservation Techniques. *More detailed information on this workshop will be provided in the next Ties to the Land issue.*

DIRECTORY OF AGENCIES

Racine/Kenosha Farm Service Agency (FSA) USD

1012 Vine Street, Union Grove, WI 53182 1330 Phone: 262-878-3353. Ext 2 Fax: 262-878-3283

Natural Resources Conservation Service (NRCS) 1012 Vine Street, Union Grove, WI 53182 1330 Phone: 262-878-1243. Ext 3 Fax: 262-878-3283

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Kenosha County Land & Water Conservation

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means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (Voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Ave. SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Monday, May 25th: Memorial Day, All offices Closed

Monday June 22nd – Monday, June 29th: Tractor Safety Course, Burlington High School, 8am – noon.

Friday, July 3rd: Independence Day Observation: All offices closed.

Friday, April 10th: Good Friday, All County offices closed. FSA/NRCS office open.

CALENDAR OF EVENTS

UW-Cooperative Extension Kenosha County Land and Water Conservation Racine County Land Conservation Natural Resources Conservation Service Yonage Agency

Union Grove, WI 53182 1330 1012 Vine Street US Department of Agriculture Kenosha/Racine Farm Service Agency **TIES TO THE LAND NEWSLETTER**

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