



## Branch Co. FSA Office

**November 2011**

**Branch Co. Service Center**  
387 N. Willowbrook Rd. Ste F  
Coldwater, MI 49036

517-278-2725 phone  
517-278-5176 fax  
www.fsa.usda.gov/mi

### Hours

Monday - Friday  
8:00 a.m. - 4:30 p.m.

### County Staff

Hope Gentile,  
County Executive Director

### Program Technicians

Shelly Dickinson  
Kelly Gruner  
Jessica Mobley  
Linda Snyder

### Farm Loan Staff

Russ Lafollete,  
Farm Loan Manager  
Crystal Hepker, Loan Officer

### Program Technician

Debra Wheeler  
Joann VanDeusen

517-849-9890 phone

### Dates to Remember

**November 11** – Office closed in observance of Veterans Day

**November 24** – Office closed in observance of Thanksgiving Day

**December 7** – COC meeting / election

**December 26** – Office closed in observance of Christmas

**January 2** – Office closed in observance of New Year's Day

**Continues** – Farm Storage Facility Loans

**Continues** – Continuous Conservation Reserve Program & CRP-SAFE

## DCP/ACRE Sign-up Dates

Sign-up for the 2012 DCP/ACRE program will not begin until January 23, 2012. The deadline remains June 1<sup>st</sup>, 2012.

Please note that all direct payments will be made in October 2012. NO advance payments will be issued for this program year, although your payment acres will be based on 85% of your contract acres instead of the 83.5% in the previous years.

The county office will again be mailing out postcards with your appointment date and time. If you cannot make this time, or have not received a card, please do not hesitate to contact the office for an appointment. The postcards will be mailed a couple weeks prior to your scheduled time, which will give you time to call and change it if necessary. (Contact person – Jessica Mobley)

DCP was authorized by the 2008 Farm Bill through the 2012 crop year and provides income support to producers. DCP payments do not depend on the current production choices of the farmer; instead, they are based on historically-based acreage and yields. Producers on a farm with established base acres may annually enroll the farm in a DCP contract. Depending on the farm's planting history, a farm may have base acres established for one or more of the following covered commodities: barley, corn, grain sorghum (including dual-purpose varieties), oats, canola, crambe, flax, mustard, pulse crops, rapeseed, safflower, sesame and sunflower (including oil and non-oil varieties), peanuts, rice (excluding wild rice), soybeans, upland cotton, and wheat.

Information concerning fruits/vegetables on DCP contract acreage can be found on page 3 of this newsletter.

## County Committee Elections

(LAA3; Batavia, Coldwater, Bethel, Ovid, Gilead, Kinderhook townships)

Be watching your mailbox for your official county office committee election ballot starting early next month. Ballots will be mailed to all eligible voters around November 4, 2011. If, for some reason, you don't receive a ballot, feel free to notify the county FSA office.

Completed and signed ballots will be due back in the county office by the close of business on December 5, 2011.

## 2010 SURE

Signup for the SURE Program for 2010 crop losses will begin November 14, 2011 and will end June 1, 2012.

Crop losses must have occurred on or before September 30, 2011. SURE is available to eligible producers on:

- 1) Farms in counties with Secretarial disaster declarations, including contiguous counties, that have incurred at least a 10 percent crop production or quality loss, or both, on ALL crops grown by a producer nationwide, except grazed crops.
- 2) Farms in which, for the crop year, the actual production on the farm because of disaster-related conditions is 50 percent or less than normal production of the farm.

Contact the office if you feel you qualify for this disaster assistance.

(Contact person – Linda Snyder)

## GovDelivery for News and eNewsletter

**Please read page 2 for the new delivery method of FSA news and announcements.**

## Highly Erodible Land and Wetland Conservation Compliance

Landowners and operators are reminded that in order to receive payments from USDA, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Producers with HEL farms need to be aware of tillage, crop residue and rotation requirements as specified in their conservation plan. Contact the USDA Service Center prior to modifying any wetland or drainage ditch (including tiling, draining, dredging, filling and leveling). Failure to obtain advance approval for any of these situations can result in loss of all Federal payments and eligibility.

Please note that when a determination is being made on one area of a tract the whole tract will be reviewed and determinations made. You will be notified of the determinations made for the entire tract and will be given 30 days to request reconsideration if you do not agree. If you wait longer than 30 days to review these determinations, you will have lost your rights to appeal. (Contact person – Kelly Gruner)

## 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. 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. 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 result in liquidated damages, calling the loan and denial of future farm-stored loans. (Contact Person – Kelly Gruner)

<u>Crop</u>	<u>Loan Rate</u>
Hard Red Wheat	\$3.18
Soft Red Wheat	\$2.23
Soft White Wheat	\$2.28
Corn	\$1.89
Soybeans	\$5.02

Interest Rate for November 2011 is 1.125%.

## Special Accommodations

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact the county FSA office in person or by phone.

## GovDelivery for News and eNewsletter

It is a high priority for FSA to communicate information to producers in a timely and efficient matter. Unfortunately, due to budget cuts, FSA is not able to print and mail newsletters and other information in the mail. So FSA is finding other ways to get the word out. We are pleased to introduce the concept of an **electronic news distribution system**.

Producers are being encouraged to volunteer e-mail addresses and cell numbers to their local FSA offices. If you personally do not have an email address you can have us send information to another family member or friend, who then could share the information with you. We will also always have copies of the latest newsletter or information on our front counter.

For the past year we have been collecting email addresses from those that wanted to receive emails with upcoming events or announcements. For those that have not provided us this information we ask that you seriously consider providing it to us in the coming months. This is will be the only means in which you find out a lot of information.

## **Fruits / Vegetables on DCP Contracts Acreage – Planting Flexibility**

Producers may plant any crop on base acres enrolled in DCP program except the following:

- Fruits
- Vegetables, other than lentils, mung beans and dry peas
- Wild Rice

However, producers may plant fruits, vegetables and wild rice on base acres enrolled in the DCP program if any of the following apply:

- In a doubling-cropping practice with covered commodities (Michigan is not a double cropping state)
- On a farm with a history of planting fruits and vegetables or wild rice, except that direct and counter-cyclical payments shall be reduced by an acre for each acre of base acreage planted to a fruit, vegetable or wild rice.
- If the producer has an established history of planting a specific fruit, specific vegetable, or wild rice, except that:
  1. Such plantings on base acreage cannot exceed the producer's average annual planting history for the specific commodity (specific fruit, specific vegetable, or wild rice) for the 1991 through 1995 or 1998 through 2001 crop years, as determined by the producer, excluding years in which the producer did not plant the specific fruit, specific vegetable or wild rice.
  2. Direct and Counter-Cyclical payments shall be reduced by an acre for each acre of base acreage planted to the specific fruit, specific vegetable or wild rice.

## **Average Adjusted Gross Income- AGI**

The 2008 Farm Bill required the implementation of the AGI limitations for program eligibility for the 2009-2012 program years. The average AGI provisions are application to the majority of programs administered by the Farm Service Agency (FSA) and Natural Resource Conservation Service (NRCS).

Annual certifications of AGI compliance are required from each individual and legal entity requesting CCC payments either directly or indirectly. Annual certifications and consent are made on form CC-931.

It is recommended that producers submit the completed CCC-931 at the time that payments and benefits are requested under USDA programs which are subject to the average AGI limitations. As required by law, producers must sign the CCC-931 to grant the IRS the authority to provide tax-related information data to USDA.

Producers whose average AGI appear to be in excess of the statutory AGI limitations will be notified in writing of the results, and provided an opportunity to make available within 30 days to the applicable FSA Office, a third-party verification from a certified public accountant or attorney of their AGI that demonstrates the limits have not been exceeded.

Producers determined not to be in compliance with AGI limitation will be offered appeal rights to either FSA or the National Appeals Division. Producers who fail to respond to written notices of AGI non-compliance or determined non-compliant will be notified of the requirement to refund the applicable program payments. Actions required by the Debt Collection Improvement Act (DCIA) will be followed by NRCS and FSA.

## **Farm Loan Program**

The Farm Service Agency (FSA) offers loans for farmers to purchase farmland and finance agricultural operations. FSA loan programs are designed to help producers who are temporarily unable to obtain private or commercial credit. In many cases, applicants are beginning farmers who have insufficient net worth to qualify for financing through a commercial lender. In other instances, borrowers might have suffered setbacks from natural disasters or might be persons with limited resources.

#### Types of Loans:

- **Farm Real Estate**  
Purchase  
Make Improvements  
Maximum amount \$300,000.00
- **Production Operating Machinery or Livestock**  
1-7 year repayment  
Fixed rate  
Maximum amount of loans for both types of operating combined is \$300,000.00

We also have Emergency loans that are direct loans for farmers who may have suffered physical or production losses in disaster areas designated by a Presidential or Secretarial disaster declaration. Rural Youth Loans, Loans to Beginning Farmers, and Loans for Socially Disadvantaged applicants are also available. FSA has a number of loan programs available to assist applicants to begin or continue in agriculture production. Loans are available for operating expenses and to purchase or improve farms.

While all qualified producers are eligible to apply for these loan programs, the FSA has provided priority funding for members of Socially Disadvantaged Applicants. 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 the group without regard to his or her individual qualities.

For purposes of this program, socially disadvantaged groups are women, African Americans, American Indians, Alaskan Natives, Hispanics, Asian Americans, and Pacific Islanders.

If producers or their spouses believe they would qualify as socially disadvantaged, they should contact their local FSA office for details. FSA loans are only available to applicants who meet all the eligibility requirements and are unable to obtain the needed credit elsewhere.

If you are looking for one of the above loans please apply early due to the limited amount of funding available.

## Annual Payment Limitation Notice

Payments for all FSA farm programs are governed by payment limitation and payment eligibility requirements. Payment limitations per person for 2012 are \$40,000 for Direct Payments (DCP); \$65,000 for Counter Cyclical Payments (DCP) and ACRE payments; \$50,000 for CRP; no limits for market gains and LDP's; \$100,000 for Disaster Assistance Programs; and \$100,000 for NAP.

## Foreign Landowner Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program for USDA. Foreign persons who have purchased or sold agricultural land in the county are required to report the transaction to FSA with 90 days of the closing. Failure to submit the AFIDA form could result in civil penalties of up to 25 percent of the fair market value of the property.

County government offices, real estate agents, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements. (Contact Person – Linda Snyder)

