



Van Buren/Kalamazoo/Berrien Farm Service Agency NEWSLETTER

January 2009

Issue No. 1

VAN BUREN FSA
1035 E. Michigan Ave.
Paw Paw, MI 49079
269-657-7055
269-657-4925 FAX

COUNTY COMMITTEE
Timothy Hood
Ryan Meachum
Chester Ray

STAFF
Debi Gavrun, PT
Mary Jo Hendrixson, PT
William Hogan, FLM
Pamela Merwin, PT
Carolyn Skeen, PT
Ron Slaughter, PT
James L. Vogt, CED

KALAMAZOO FSA
1911 W. Centre Ave.
Portage, MI 49024
269-327-0940
269-327-2456 FAX

COUNTY COMMITTEE
Ben Fritz
Tim Vosburg
Belden Smith

STAFF
Dan Brauer, PT
Phillip DeYoung, FLM
Marnie Plucienik, PT
Matthew Skrzypek, FA
James L. Vogt, CED

BERRIEN FSA
3334 Edgewood Rd.
Berrien Springs, MI 49103
269-471-9111
269-471-3773 FAX

COUNTY COMMITTEE
Calvin Gnodkke
Mary Wagner
Neal Kreitner

STAFF
Barb Dumke, PT
William Hogan, FLM
Sue Kraklau, PT
Nova Little, PT
Marquita Sommer, PT
Paul Wagner, FLO
Delores Whitson, PT
James L. Vogt, CED

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



<http://www.fsa.usda.gov/mi>

COC ELECTION RESULTS

Chester Ray was re-elected to the Van Buren County Committee for 2009. Chester represents Columbia, Bloomingdale, Pine Grove, Arlington, Waverly, and Almena Townships. Alternates are Glenn Nordbrock and Shirley Bush.

Belden Smith was elected to the Kalamazoo County Committee for 2009. Belden represents Alamo, Cooper, Richland, Ross, Oshtemo and Kalamazoo Townships.

Calvin Gnodkke was re-elected to the Berrien County Committee for 2009. Calvin represents Bertrand, Buchanan, Chikaming, Galien, New Buffalo, Three Oaks and Weesaw Townships. Linda Kaminski is his alternate.

Thanks to all who took the time to vote and a great big thank you to those who were willing to serve on the committee!

2009 DIRECT AND COUNTER-CYCLICAL PAYMENT (DCP) PROGRAM SIGNUP BEGINS!

Signup for 2009 DCP is going on **now** and runs through June 1, 2009. Contact your local FSA Office to schedule an appointment.

PLANTING TRANSFERABILITY PILOT PROJECT

The 2008 Farm Bill provides for the development of a pilot project for certain states to permit the planting of cucumbers, green peas, lima beans, pumpkins, snap beans, sweet corn, and tomatoes grown for processing on base acres during each of the 2009 through 2012 crop years. DCP base acres on a farm for a crop year will be reduced by an acre for each acre planted under the pilot program. This program is dependent on regulations not yet issued which will cover eligibility and the method by which producers can be approved for participation. Michigan has a maximum of 9,000 base acres eligible for enrollment during the pilot year.

COC ADVISOR SOUGHT FOR KALAMAZOO COMMITTEE

The Kalamazoo County Committee is required to recommend for appointment an advisor to ensure a fair representation for farmers and ranchers from socially disadvantaged groups.

A COC Advisor shall be actively participating in farming or ranching in the county or area and be willing and able to serve as an advisor. The appointment shall be for a 12-month period not to exceed nine consecutive years, and is effective March 1 of each year.

COC Advisors are responsible for:

- Attending each COC meeting, including executive sessions
- Participating in all deliberations
- Increasing awareness of and participation in FSA activities
- Helping to develop interest and incentives in socially disadvantaged group members for considering FSA work as a career
- Actively soliciting candidates from socially disadvantaged groups for nomination during the election process.

If you or someone you know is interested in becoming a COC Advisor, please contact the Kalamazoo FSA Office at 269-327-0940.

RECONSTITUTION RULE CHANGES

The policy was established that prohibited farms having base acres of 10.0 acres or less from being combined with another farm **no longer applies** and reconstitutions may be approved if all other requirements are met.

Generally, no producer on a farm that has a total of 10.0 base acres or less shall be eligible to receive DCP payments on that farm. Farms that have total bases of 10.0 acres or less may reconstitute and earn payments, if all other reconstitution rules are met.

NEW ADJUSTED GROSS INCOME (AGI) PROVISIONS

The Food, Conservation, and Energy Act of 2008 made changes to the average AGI provisions. There are now *three* average AGI limitations that are applicable to the commodity, price support, disaster, and conservation programs. The new average AGI limitations will be implemented for 2009 and subsequent program years. For 2009, the *average* of the AGI reported to IRS for the years 2005, 2006 and 2007 will be used for certification purposes.

Each of the following, when directly or indirectly requesting benefits subject to AGI provisions, **must** certify to AGI compliance for payment eligibility:

- natural persons
- legal entities
- **all** interest holders, stockholders, or members of a legal entity
- **all** members of a joint operation or general partnership
- BIA on behalf of individual Native Americans or Indians represented.



The three AGI limitations are as follows:

IF average adjusted gross...	THEN the person or legal entity is INELIGIBLE for...
nonfarm income exceeds \$500,000	all commodity, price support, and disaster assistance program benefits.
farm income exceeds \$750,000	direct payments under DCP.
nonfarm income exceeds \$1 million	all conservation program benefits, unless 66.66 percent or more of the average AGI was derived from activities related to farming, ranching, and forestry operations.

A worksheet is available in the FSA Office to assist producers in the completion of form CCC-926, Average Adjusted Gross Income (AGI) Statement for 2009 and subsequent years.

PAYMENT ELIGIBILITY AND PAYMENT LIMITATION PROVISIONS FOR 2009

The Food, Conservation, and Energy Act of 2008 made changes to payment eligibility and payment limitation provisions to be implemented for the 2009 and subsequent program years.

Actively engaged in farming still requires the following:



- significant contribution of capital, land, equipment, or combination thereof
- significant contribution of active person labor, active personal management, or combination thereof
- contributions must be commensurate with the claimed share of the profit or loss of the farming operation
- contributions must be at risk for a loss.

The landowner exemption still applies. A person or legal entity who is a landowner may be considered “actively engaged in farming” under the landowner exemption.

Each of the partners, stockholders, or members must make a contribution of active personal labor and/or active personal management to the farming operation that must be performed on a regular basis, identifiable and documentable, and separate and distinct from the contributions of any other partner, stockholder, or member of the farming operation.

The contribution of the partners, stockholders and members must be significant and commensurate. The legal entity will make contributions to the farming operation that are at risk for a loss, with the level of risk being commensurate with the claimed share of the farming operation. The failure of any partner, stockholder, or member to meet this requirement will result in a reduction of payments to the payment entity commensurate with the ownership share held by that interest holder.

Any change to a farming operation that results in the increase in the number of persons or legal entities for payment limitation purposes must be bona fide and substantive. Contact your local FSA Office for further information.

DISASTER DESIGNATIONS AFFECTING VAN BUREN, KALAMAZOO & BERRIEN COUNTIES

- Drought conditions from May 1, 2008, through September 17, 2008
- Severe frost/freeze and cold weather events from March 1, 2008, through May 31, 2008
- Storms with excessive rain, flooding and high winds from April 12, 2008, through September 16, 2008

MILK INCOME LOSS CONTRACT PROGRAM

The Milk Income Loss Contract Program (MILC) compensates dairy producers when domestic milk prices fall below a specified level. The 2008 Farm Bill authorized MILC through Sept. 30, 2012. Eligible dairy producers are those who, beginning October 1, 2007, through September 30, 2012:

- Commercially produce and market cow milk in the United States; or
- Produce milk in the United States and commercially market the milk outside the United States.



Dairy producers must be in compliance with Highly Erodible Land and Wetland conservation provisions. Dairy producers are subject to the Adjusted Gross Income (AGI) limitation. If non-farm income exceeds \$500,000 the dairy operation and the dairy producer are not eligible for MILC benefits.

Sign-up for the program began on December 22, 2008, and extends through the conclusion of the program on Sept. 30, 2012. Eligible dairy producers can apply for program benefits anytime during sign-up. Please contact your local FSA Office for an appointment.

TRANSFER OF ADMINISTRATIVE COUNTY FOR A FARM

A change in a farm's administrative county may be permitted to a contiguous county that currently has an FSA office without completing a farm combination in the receiving county if at least one of the following applies:



- the principal dwelling of the farm operator has changed
- a change has occurred in the operation of the land
- there has been a change that would cause the changed administrative County Office to be more accessible, such as a new highway, relocation of the County Office, building site, etc.
- the producer documents that the changed administrative County Office is significantly more convenient.

In and out transfer must be signed by the farm operator and *all* owners, a one-time option for the producer if done because of convenience, and made only to a county that currently has an FSA office and is contiguous to the county where the farm is physically located. Owners and operators should be aware that transferring a farm can affect their eligibility to vote in specific County Committee elections.

ATTENTION NAP POLICY HOLDERS!!!

Producers must file a *notice of loss* with their local FSA office within 15 calendar days from the disaster occurrence or date damage to the specific crop acreage is apparent to the producer for yield losses or the final planting date for prevented planting. The notice of loss must be filed for *each* weather-related event or adverse natural occurrence that causes damage to or loss of the specific crop or commodity.

Producers are responsible for providing accurate and complete *reports of production* on a timely basis each and every year after harvest. The deadline to report production is July 15 of the year following harvest. It is the producer's responsibility to report the total amount of production for their entire unit. It is not FSA's responsibility to determine the producer's amount of production.

PROGRAM PAYMENTS NO LONGER BEING ISSUED FROM THE LOCAL COUNTY OFFICES

Effective December 3, 2008, all farm program payments, regardless of application source, will be routed to the National Payment Service for processing.

All checks generated by National Payment Service will be printed by the Treasury Department's Kansas City facility on Treasury's check stock. Payment recipients receiving payment by check should expect a slight delay in receipt of the check because the information must be transferred to Treasury. There is no delay when payment is made by electronic funds transfer.

The Financial Services Center will print the disbursement transaction statements and mail the statements to the payment recipient. County Offices will no longer mail or file the statements. The statements have been slightly redesigned to provide additional information for the program participant. The program participant will receive one statement listing all payments issued on the same day from the same County Office. All statements having invalid or incorrect addresses will be returned to the Service Center where the payment originated for corrective action.



UNITED STATES DEPARTMENT OF AGRICULTURE
 VAN BUREN FARM SERVICE AGENCY
 1035 EAST MICHIGAN AVENUE
 PAW PAW, MICHIGAN 49079

PRESORTED STANDARD
 U.S. POSTAGE PAID
 LANSING, MI
 PERMIT NO. 19

IMPORTANT DATES TO REMEMBER

January 14	Berrien County Committee Meeting
January 19	Martin Luther King Jr.'s Birthday Holiday – Offices Closed
January 20	Van Buren County Committee Meeting
January 21	End Date for Initial Signup Phase of MILC Program
January 22	Beginning Date for Extended Signup Phase of MILC Program
January 28	Kalamazoo County Committee Meeting
January 31	Final Loan/LDP Availability Date for Wool, Mohair or Unshorn Pelts
February 1	Sales Closing Date for NAP Policies for Onions
February 10	Berrien County Committee Meeting
February 11	Kalamazoo County Committee Meeting
February 16	Presidents' Day Holiday – Offices Closed
February 17	Van Buren County Committee Meeting
February 27	2005 through 2007 Crop Disaster Program Application Deadline
March 11	Kalamazoo County Committee Meeting
March 11	Berrien County Committee Meeting
March 15	Sales Closing Date for NAP Policies on Spring-Seeded Crops
March 17	Van Buren County Committee Meeting
March 31	Final Loan/LDP Availability Date for Barley, Canola, Honey, Oats or Wheat
Ongoing	SAFE Program Enrollment
Ongoing	CRP Continuous Signup
Ongoing	Farm Storage Facility Loans

eGOV CUSTOMER REGISTRATION PROCESS

1. Access your website of interest:
 - USDA Customer Statement <http://customerstatement.usda.gov>
 - Electronic LDP Signup http://www.fsa.usda.gov/egov/eldp_default.htm
 - Electronic DCP Signup http://www.fsa.usda.gov/egov/edcp_default.htm
2. Create an online user profile and apply for Level 2 access
3. Respond to the verification email within 7 days of receipt.
4. Visit the County Office in person and provide photo identification to the Local Registration Authority in order to receive Level 2 Activation.
5. Access Level 2 applications within 1 hour after profile has been activated.

SPECIAL ACCOMODATIONS

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact their local County Office in person or by phone.

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 and TDD). To file a complaint of Discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.