



Wayne County Farm Service Agency
United States Department of Agriculture
428 West Liberty St.
Wooster, Oh 44691
Phone: 330-262-1911

NEWSLETTER/INFO: Our monthly newsletter is also available at <http://www.fsa.usda.gov/oh> . Once on the homepage, look on the left side under “browse by subject” and click on “newsletters”. This site also provides recent news releases, important dates to remember & program information.

AVERAGE CROP REVENUE ELECTION (ACRE) SIGN-UP. Sign-up for the 2009 Direct & Counter-cyclical Program (DCP) and the ACRE option has been announced & will continue through **August 14, 2009**.

Producers may enroll in DCP and request a 22% advance direct payment. Producers may also chose to enroll in the ACRE option which provides eligible producers a state-level revenue guarantee, based on the 5-year state olympic average yield and the 2-year national average price. ACRE payments are made when both state and farm-level triggers are met. By participating in ACRE, producers elect to forgo counter-cyclical payments, receive a 20-percent reduction in direct payments and a 30-percent reduction in loan rates.

To elect ACRE for a farm, producers must complete a CCC-509ACRE, which irrevocably elects ACRE for the farm through crop year 2012. All land owners must also sign the contract. Appointments are suggested for ACRE program enrollment.

FSA cannot advise a producer regarding election of ACRE, therefore it is important for each producer to research the benefits of ACRE. Producers are encouraged to check out ACRE calculators available from various universities and agricultural services.

A couple of producer recommended sites are:

www.farmdoc.uiuc.edu (University of Illinois)

<http://www.afpc.tamu.edu/models/acre/index.php#0> (Texas A&M University).

2009 FSA County Committee Elections: The Wayne County Farm Service Agency is looking for individuals interested in serving on the Wayne County Committee. This year LAA-1 (Chester, Wayne, Congress, Plain, and Canaan Townships) will be having an election. Any eligible person residing in one of these townships who is interested in running for County Committee, or would like to nominate an individual to run for County Committee, must complete a nomination form. The Nomination form for County FSA Committee Election (FSA-669A) is available at the Wayne County FSA office. You may also go online and download the form from our Ohio FSA website at: <http://www.fsa.usda.gov/FSA/oh>. The form is located under the "I Want To" section.

Members of socially disadvantaged groups (a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities) are strongly encouraged to complete the Nomination Form for County FSA Committee Election (FSA-669A) and nominate themselves or another eligible candidate.

Committee members make decisions on applications for federal farm program and disaster payments. Committee members play a vital role by helping local farmers manage tough financial times and natural disasters. County committee members make many other important decisions that affect local farmers such as whether haying and grazing should be allowed on Conservation Reserve Program land.

The nomination period begins June 15th and runs until August 3, 2009. Ballots will be mailed to eligible voters November 6th and must be returned by December 7, 2009. The elected Committee Member and Alternates will take office January 1, 2010.

CROP REPORTING DEADLINES. Most FSA programs require crop reporting for compliance purposes. The 2009 reporting deadlines are **June 30** for wheat, oats & barley; and **July 15** for corn, soybeans, hay & CRP.

REPORTING FAILED OR PREVENTED PLANTED ACRES. 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.

NEW COMMODITY LOAN REPAYMENT RATES: Since April 15, 2009, FSA began using an improved and more stable system for determining non-recourse marketing assistance loan repayment rates and loan deficiency payment rates for wheat, feed grains, pulse crops, oilseeds, wool, mohair and honey. The new method reduces the effects daily market volatilities have on loan repayment rates, and provides more certainty for producers who have taken advantage of marketing assistance loans or loan deficiency payments.

The loan repayment rate may now be determined as the **lesser** of the loan rate plus interest and a rate based on: 1) average market prices during the previous 30 days, or 2) an alternative method the secretary may develop.

Beginning April 15, for wheat, corn, grain sorghum, soybeans, barley, oats, canola, flaxseed and sunflower seed, the Commodity Credit Corporation (CCC) determines and publishes daily loan repayment rates based on the average market prices during the preceding 30 days. At the same time, CCC will announce each day a repayment rate based on the preceding five days. The new method will replace the current one, which is based on the previous day's market rates. **The effective alternative repayment rate will be the lower of either the 30-day average or the 5-day average.**

The 30-day method will reflect a 30-day moving average of all terminal market prices for the crop, adjusted by the difference between the applicable national loan rate and the county loan rate. The 5-day method will reflect a 5-day moving average of applicable terminal market prices adjusted by applicable county differential and terminal adjustments. This new loan repayment method will minimize potential forfeitures, accumulation of CCC stocks, CCC storage costs, market impediments and discrepancies in benefits across state and county boundaries. More details on specific crops are available at your local FSA office.

Please contact the Wayne County Office for further information.

Serving Agriculture,

Wayne County Executive Director

Wayne County Farm Service Agency

2009 Annual Notice of General Program Administration Information

Change in Farming Operation or Address. Producers are reminded to notify this office to report any change in a farming operation so that records can be kept current and accurate. Changes include, but are not limited to, farm ownership, farm operator, address, tax identification number, and agricultural use. The final date to request farm and tract divisions or combinations of farm, tract and crop records for 2009 program administration purposes is August 1, 2009.

Change in Direct Deposit Account. The Debt Collection Act of 1996 mandates that payments from FSA be directly deposited into a producer's checking or savings bank account. It is important that any change in the producer's account such as type of account, bank mergers, routing number or account numbers be provided to the county office promptly to avoid possible payment delay.

Spousal Signature. A husband and wife may sign documents on behalf of each other for most FSA and Commodity Credit Corporation (CCC) programs in which either has an interest unless a written request for exclusion is made to the county office from either spouse.

Power of Attorney. A POA may be executed to grant authority to act on behalf of another individual or entity. Current POA forms are kept on file until signing authority is rescinded by either party.

Joint or Assigned Payments. Producers who wish to have a payment issued jointly or to assign a payment may do so by filing form CCC-36 or CCC-37 prior to issuance of payment.

Controlled Substance. Any person who is convicted under federal or state law of a controlled substance may be ineligible for USDA payments or benefits. Violations include planting, harvesting, or growing a prohibited plant. Prohibited plants include marijuana, opium poppies and other drug producing plants.

FSA Website & E-Gov Registration. For Farm Service Agency news, programs and forms available online check the FSA website at www.fsa.usda.gov. Registered producers may also conduct limited business online & check producer payment history. To register visit <http://www.sc.egov.usda.gov>.

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. Farmers with HEL determined soils are reminded to follow tillage, crop residue and rotation requirements as specified per their conservation plan. Contact should be made with the USDA Service Center prior to conducting land clearing or drainage projects to insure compliance. Questions regarding a conservation plan should be directed to the Wayne County District Conservationist/NRCS John Knapp at 330-262-2836.

Foreign Buyers Notification. The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of United States agricultural land to report their holdings to the Secretary of Agriculture. FSA administers this program for USDA. Foreign persons who have purchased or sold agricultural land in Wayne County are required to report the transaction to FSA within 90 days of the closing. Failure to submit the AFIDA form could result in civil penalties up to 25% of the fair market value of the property.

Minority Farm Register. The Minority Farm Register is a tool to promote equal access to farm programs and services for minority farmland owners, farmers, tenants and other individuals with an agricultural interest. Participants may receive information or be personally contacted through USDA outreach efforts. Programs include direct and guaranteed farm ownership and operating loans, marketing loans, as well as conservation, housing and rural business and risk management. Participation is voluntary. All minority persons involved in farming are encouraged to participate. The information provided may be shared through the USDA Office of Outreach with other USDA-approved outreach partners, such as community-based organizations, educational institutions and other government agencies. If you are involved with farming and wish to be included in the Minority Farm Register, you are invited to visit the local county office staff and request the register form or download the form from the FSA website at:

http://forms.sc.egov.usda.gov/efcommon/eFileServices/Forms/AD2035_040729V02.pdf.

Nondiscrimination Statement. USDA prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, age 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 basis apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio tape, etc) should contact USDA's Target Center at 202-720-2600 (voice and TDD). Special accommodations will be made upon request for individuals with disabilities, vision or hearing impairment. If accommodations are required individuals should contact Shelly Odenkirk directly by phone at 330-262-1911.

Civil Rights/Discrimination Process. As a participant or applicant for programs or activities operated or sponsored by USDA you have a right to be treated fairly. If you believe you have been discriminated against because of race, color, national origin, gender, age, religion, disability, or marital or familial status, you may file a discrimination complaint. The complaint should be filed with the USDA Office of Civil Rights within 180 days of the date you became aware that the alleged discrimination occurred. To file a complaint of discrimination write USDA, Director, Office of Civil Rights, Room 326W, Whitten Building, 14th & Independence Avenue SW, Washington DC 20250-9410 or call 202-720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

Election Notification. To ensure that individuals within minority, female, and other potentially underrepresented groups are fairly considered for representation on the Wayne County Committee they encourage females and others to notify the FSA office if land is under joint ownership and FSA records do not reflect all joint owners. This will ensure that voting lists and program participation statistics reflect an accurate accounting of females, minorities, and others. If you have not received an election ballot in the past and believe you may be eligible to vote, please notify your local FSA office.

Farm Loans. FSA offers direct and guaranteed farm ownership and operating loan programs to farmers and ranchers. FSA is a lender of first opportunity, not the lender of last resort. Rural youth loans and assistance for socially disadvantaged persons are also available. If interested contact Pam Sparks at 419-668-4113.

2009 Adjusted Gross Income (AGI) Rules. Average AGI limitations for 2009 payment eligibility apply to both individuals and legal entities. For commodity and price support programs, if the individual or legal entity has a 3-year average nonfarm AGI greater than \$500,000, the individual or

entity is **not** eligible for DCP, price support, or disaster assistance program benefits. If the individual or legal entity has 3-year average farm AGI greater than \$750,000, the individual or legal entity is **not** eligible for direct payments under DCP.

For conservation programs, if the individual or legal entity has 3-year average total AGI greater than \$1 million, the individual or entity is **not** eligible unless 66.66 percent is derived from farming, ranching, and forestry operations, as defined. If the individual or entity has a 3-year average nonfarm AGI greater than \$1 million, the individual or entity is **not** eligible for conservation program benefits. The average AGI is calculated using the income from the 3 taxable years previous to the current tax year minus 2 years. For the 2009 program year, tax years 2007, 2006 and 2005 are applicable. Worksheets are available at local offices to assist producers in determining their AGI status.

2009 Payment Limitation/Eligibility. The 2008 Act provided for certain changes regarding program payment limitations and eligibility. For 2009, “person” and permitted entity rules **do not apply**. Rather, payments will be limited by direct attribution. Under direct attribution, the payment limitation is applied by crediting individuals and legal entities with both the amount of payments they receive directly and also the amount they are considered to have received indirectly by holding an interest in a legal entity receiving payment.

For the 2009 DCP, an individual or a legal entity is limited to receipt of \$40,000 in direct payments earned through the interests held in all contracts/agreements entered into during FY 2009. There are no “person” determinations nor is there a restriction on the number of legal entities through which an individual may hold an interest that also receive payment.

The 2008 Act establishes a new requirement that **each** of the partners, stockholders, or members of a legal entity 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, be identifiable and documentable, and be 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 must make contributions to the farming operation that are at risk for 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 his requirement will result in a reduction of payments to the legal payment entity commensurate with the ownership share held by that interest holder.

Program	Pay Limit
DCP Direct Payments	\$40,000
DCP Counter-Cyclical Payments	\$65,000
For producers participating in the ACRE option on at least 1 farm the combination of direct, counter-cyclical, and ACRE payments on all farms for all covered commodities can not exceed	\$105,000
Conservation Reserve Program (CRP)	\$50,000
Noninsured Assistance Program (NAP)	\$100,000
The combination of SURE ,LIP, LFP and ELAP can not exceed	\$100,000
Loan Deficiency Payments/Market Gain	No limit
Environmental Quality Incentives Program (EQIP)	\$300,000

Livestock Programs

Milk Income Loss Contract (MILC) Program.

- Provisions of the MILC program for dairy producers continues through September 30, 2012

Wool, Mohair & Unshorn Pelts Loan Deficiency Payments.

- LDP's are available for producers who produce & shear wool & mohair &/or sell unshorn lambs in 2009
- Producers have until February 1, 2010 to apply for 2009 benefits, provided a CCC-633EZ had been filed prior to shearing.

Grain Programs

Farm Stored Facility Loan Program.

- Financing is available for construction of new & renovated storage facilities
- Up to two years of storage minus existing space for normal production may be approved
- The loan term is equal payments for 7 years at a fixed interest rate
- The May 2009 interest rate is 2.375% for facility loans

Conservation Programs

Conservation Reserve Program (CRP). There are two ways to sign into CRP in Wayne County:

1. General Conservation Reserve Program
 - No general sign-up is currently announced
 - All producers with highly erodible land that they have owned over one year may apply
 - Cropland must have been cropped 4 of 6 years between crop years 1996-2001
 - It is highly competitive & acceptance is based on a bid submitted by the producer & the environmental benefits index score
 2. Continuous Conservation Reserve Program (CCRP)
 - CCRP targets environmentally sensitive cropland for practices such as filter strips, riparian buffers, windbreaks, grass waterways, wetland buffers, wildlife habitat buffers, quail habitat buffers & shallow water areas for wildlife
 - Cropland must have been cropped 4 of 6 years between crop years 1996-2001 except for marginal pastureland & must have been owned for one year
 - Costshare assistance of up to 90% plus annual rental payments is available
 - Acceptance is guaranteed for eligible practices
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