

UNITED STATES DEPARTMENT OF AGRICULTURE

Farm Service Agency
Washington, DC 20250

**Farm, Tract, and Crop Data
3-CM (Revision 4)**

Amendment 20

Approved by: Deputy Administrator, Farm Programs



Amendment Transmittal

A Reasons for Amendment

Subparagraph 23 B has been amended to provide guidance on entering or changing other producers in the application.

Subparagraph 52 B has been amended to clarify contiguous counties.

Subparagraph 53:

- D has been amended to allow producers 30 calendar days to select a different administrative County Office
- G has been added to provide producers the option to transfer their farm to a significantly more convenient county during office closures.

Exhibit 7 has been has been amended to allow producers 30 calendar days to request a new administrative County Office.

Exhibit 10 has been amended to update the reference for guidance on forms and documents to be transferred during a records transfer.

Page Control Chart		
TC	Text	Exhibit
	2-3 through 2-6 3-18.5, 3-18.6 (add) 3-19 through 3-36	7, page 1 10, pages 1, 2

22 Adding or Changing Owner (Continued)

B Ownership Dispute

If there is a dispute over ownership, follow:

- 1-DCP for handling DCP
- 1-CRP for handling CRP
- 16-TB for handling TTPP
- other applicable handbooks as applicable to specific programs.

C Restrictive Easements

When verifying proof of ownership and at every other opportunity, check for restrictive easements that prohibit the production of an agricultural commodity. If there is a restrictive easement, see:

- 1-DCP
- 2-CM
- 2-CP.

D Entering Owners Into Application

Owners may be entered into the application when specific proof of ownership has been provided. Owners shall be entered into the application according to Part 9.

Note: If a County Office has done thorough research and cannot determine the owner, “unknown” may be entered as the owner. County Offices shall follow procedure in 1-CM, paragraph 178.9 if there is **not** an “unknown” record in SCIMS for the county.

E Notification

Notify each prior and current owner of the farm of any ownership change by letter.

23 Adding or Changing Other Producers

A Definition of Other Producers

Other producers are producers who are:

- associated with a tract
- **not** owners or operators.

23 Adding or Changing Other Producers (Continued)

B Entering Other Producers Into Application

*--Other producers may be entered or changed in the application when verification has been provided by the owner or operator. A copy of a written lease or verbal verification is acceptable. However, if a verbal request is made to add or change an other producer, the County Office must document the following in the farm folder:

- name of owner or operator that provided the verbal statement
- date the verbal statement was provided to the County Office.--*

Other producers shall be entered into the application according to Part 8.

24 Farms and Tracts

A Definition of Farm

A farm is made up of tracts that have the same owner and the same operator.

Land with different owners may be combined if all the land is operated by 1 producer with all of the following elements in common and substantially separate from that of any other tracts:

- labor
- equipment
- accounting system
- management.

Note: Land on which other producers provide their own labor and equipment, but do not meet the definition of an operator, shall not be considered a separate farm.

B Definition of Tract

[7 CFR 718.2] A tract is a unit of contiguous land that is both of the following:

- under 1 ownership
- operated as a farm or a part of a farm.

24 Farms and Tracts (Continued)

C Tract Determinations

After applying the definition in subparagraph B, determine tracts according to this table.

IF the land is...	THEN classify as...
part of a field that extends into the adjoining county, and the county boundary is not clearly defined	1 tract.
entirely in another county or bisected by a clearly defined county line	separate tracts.
bisected by community or township lines, roads, streams, or other boundary	1 tract, unless circumstances justify separate tracts.

Note: Tracts may be combined. See 2-CM.

D Deleting Farms and Tracts

Following are reasons for deleting farms and tracts:

- all land on the tract or farm has been retired from agricultural production
- transfer out of county according to Part 3, Section 2
- as a result of a correction.

E Adding Farms and Tracts

Following are reasons for adding farms and tracts:

- transfer into county
- new land broken out
- as a result of a correction.

F Combining Tracts

The following conditions must be met before COC's combine tracts:

- tracts are associated with the same farm number
- tracts have common ownership unit
- tracts are contiguous
- owner agrees.

Tracts shall be combined according to 2-CM.

G Dividing Tract

Tract shall be divided only if:

- tract no longer meets the definition of a tract according to subparagraph B
- part of the tract is sold.

Tracts shall be divided according to 2-CM.

25 Land Classification Definitions

A Definition of Farmland

[7 CFR 718.2] Farmland is the sum of the following:

- DCP cropland
- forest
- NAP crop acreage as specified in 1-NAP not meeting the definition of cropland or DCP cropland
- other land on the farm.

B Definition of Cropland

[7 CFR 718.2] Cropland is land that COC determines meets any of the following conditions:

- currently being tilled to produce a crop for harvest
- not currently tilled, but has been tilled in a prior year and is suitable to be tilled for crop production
- currently devoted to 1- or 2-row shelterbelt planting, orchard, vineyard, or other related crops
- in terraces that, according to FSA records, were cropped in the past even though they are no longer capable of being cropped
- in sod waterways or filter strips planted to perennial cover
- under CRP-1, including alternative perennials, until CRP-1 expires or is terminated

Notes: See 2-CRP, paragraph 327 for alternative perennials.

Violations of HELC or WC provisions do not affect cropland classification.

- new land broken out if both of the following conditions are met:
 - land is planted to a crop to be carried through to harvest
 - tillage and cultural practices in planting and harvesting the crop must be consistent with normal practices in the area.

52 Changing a Farm’s Administrative County (Continued)

B Changing With a Farm Combination

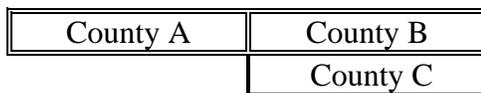
A change in administrative County Office may be permitted if both of the following apply:

- all owners agree with the transfer
- the transferred farm will be combined with another farm in the receiving office.

If a County Office determines that the farm transfer and combination are being requested to evade program rules, the farm transfer and farm combination shall **not** be approved.

Note: Administrative county changes shall only be made to counties that are contiguous to the county where the farm is physically located. If there are no offices in the contiguous counties, the producer may select a noncontiguous office that is **significantly** more convenient.

***--Example:** County A is contiguous to County B. County B is contiguous to County C.



Land in counties A, B, and C may be combined and administered in any 1 of the 3 counties if there are parent farms located in all 3 counties.

If land in County B is divided from the farm, the land in counties A and C would be transferred back to County A and County C to be administered.--*

In and out transfers shall be:

- requested on FSA-179
- signed by the farm operator and **all** owners
- between contiguous counties when possible.

Approving the request will change the administrative County Office originally designated by FSA for all purposes. See paragraph 65 for the timing of the transfer.

53 County Office Closures

A Background

Producers (owners and operators) on farms that were transferred to an administrative County Office because of County Office closure may request a new administrative County Office if the producer documents that a new administrative County Office is significantly more convenient.

Note: This does **not** apply to TTPP contracts.

B Timeframe for Request

Producers on farms in County Offices that close shall have 60 calendar days from the date of the letter sent according to subparagraph 53 D to select a new administrative County Office.

C Requesting a New Administrative County

Producers who select a new administrative County Office shall request an in or out transfer to accomplish the change. Process these requests according to Section 2.

Example: County Offices A, B, C, D, E, and F are closing. There are County Offices in counties N, O, P, Q, R, T, V, X, Y, Z, AA, BB and CC.

N COF		O COF		P COF		Q COF	
R COF	S No COF		T COF	U No COF		V COF	
A-Closing	B-Closing	C-Closing	D-Closing	E-Closing		F-Closing	
G No COF		H No COF	Y COF		Z COF		I No COF
X COF		W No COF					K No COF
				AA COF		BB COF	

Producers that have a farm that is physically located in:

- county A may transfer their records to county R
- county B may transfer their records to county R or Y
- county C may transfer their records to county T or Y
- county D may transfer their records to county T, Y, or Z
- county E may transfer their records to county V, Y, or Z
- county F may transfer their records to county V or Z.

53 County Office Closures (Continued)

D Producer Letters

When a County Office closes, FSA designates a new administrative County Office. The new administrative County Office designated by FSA shall provide a letter within 60 calendar days of being notified of the closure to all producers whose records were originally serviced *--by the closed County Office. The letter shall allow producers 30 calendar days from the--* date of the letter to select a different administrative County Office. See Exhibit 7 for an example of the letter.

E No Contiguous County Office

If there is no County Office in any contiguous county to the county where the land is physically located, the producer may select a noncontiguous County Office that is significantly more convenient to the producer.

Example: County Office F is closing and is not contiguous to a county that has a County Office. A producer may transfer his records to the closest County Office that is noncontiguous if it is significantly more convenient. For example, if it were significantly more convenient for the producer with a farm in county F, he could request to transfer the farm to county A or county K but not to counties M, N, Q or S.

L No COF			M COF
A COF	B No COF	C No COF	D No COF
E No COF		F Closing	G No COF
H No COF		I No COF	
J No COF		K COF	
N COF	O No COF		P No COF
Q COF		R No COF	
S COF		T COF	

53 County Office Closures (Continued)**F In and Out Transfer**

In and out transfers shall be:

- requested on FSA-179

Note: On FSA-179, item 5, check “county office closure”.

- signed by the farm owner(s) and operator
- between contiguous counties when possible.

Approving the request will change the administrative County Office originally designated by FSA for all purposes. See paragraph 65 for the timing of the transfer.

***--G Significantly More Convenient**

Producers who wish to select a significantly more convenient administrative County Office that does not meet subparagraphs C or E, shall request a farm transfer to accomplish the change. These requests shall be submitted to STC for approval.

In and out transfers shall be:

- requested on FSA-179

Note: On FSA-179, item 5, check “County Office Closure” and enter “Significantly more convenient”.

- signed by the farm owner and operator
- a 1-time option for the producer
- submitted to STC for approval.

Approving the request will change the administrative County Office originally designated by FSA for all purposes. See paragraph 65 for the timing of transfers.

Note: DAFP has delegated its authority to STC’s to approve requests for selecting a new administrative County Office in cases where County Offices have closed and a producer requests an administrative county other than the 1 designated by FSA.--*

54 County Offices With Reduced Hours of Operation

A Background

Reduced hours at some County Offices may create a significant inconvenience for some producers in obtaining reasonable availability and accessibility to services.

Producers on farms that are administered in County Offices who have reduced their hours of operation may request a new administrative County Office, if the producer documents the new administrative County Office is significantly more convenient.

The County Office with reduced hours of operation shall notify producers of this option in their next newsletter.

Note: If SED determines that reduced staffing in a County Offices has caused an inconvenience to producers, SED may use this procedure to allow all producers in the county to choose a new administrative County Office even though the county may not have reduced work hours. After SED has made this decision, the County Office shall notify the producers in the county of the option to choose another administrative County Office in their next newsletter.

B Requesting a New Administrative County Office

Producers, who select a new administrative County Office, shall request a farm transfer to accomplish the change. These requests shall be approved by STC.

In and out transfers shall:

- be requested on FSA-179

Note: On FSA-179, item 5, enter “reduced hours of operation” or “reduced staffing”, as applicable.

- be signed by the farm owner and operator
- *--occur between contiguous counties with the exception of closed offices--*
- be a 1-time option for the producer
- be submitted to STC for approval.

Approving the request will change the administrative County Office originally designated by FSA for all purposes. See paragraph 65 for the timing of transfers. There is no set timeframe for producers to make a request to change their administrative County Office.

***--Note:** DAFP has delegated its authority to STC’s to approve requests **only** for selecting a--* new administrative County Office in cases where County Offices have reduced hours of operation and/or reduced staffing.

55-61 (Reserved)

Example of Letter to Producers About Closed County Offices

This is an example of the letter to producers about closed County Offices.

Dear Producer:

Your FSA County Office in (county name) County has been required to combine with the _____ County Office. This will result in your farm records administered in the _____ County Office being transferred to the _____ County Office.

Producers on farms that are transferred to an administrative County Office because of County Office closure may request a new administrative County Office if the producer documents that a new administrative County Office is significantly more convenient.

You may select any County Office contiguous to (closing county name) County as an alternative. This selection will apply for all programs for the next crop year and subsequent crop years.

[List the alternative County Offices and addresses.]

Apply to the _____ County FSA Office no later than 30 days after the date of this letter, if you wish to request a new administrative County Office. Include a statement of how this choice will be significantly more convenient for you. Your request is subject to County Committee approval. If we do not hear from you within 60 days of the date of this letter your farm records will continue to be serviced from the (county) County Office. This is a one-time choice for producers affected by office closures.

Sincerely,

_____, CED

FSA-179, Transfer of Farm Records Between Counties

A Preparing FSA-179

Prepare FSA-179 according to the following instructions.

Item Number	Instructions
Part A – Request for Transfer	
1	Enter name and address of operator for the current year.
2	Enter name and address of owner for the current year.
3	Indicate who initiated the transfer request.
4A and 4B	Enter name of county and State to which transfer is requested.
5	Indicate the reason for transfer. If “DAFP Approval” is selected as the reason for transfer, specify the reason that the transfer is being submitted to DAFP for approval.
6	Have all owners and the operator sign and date. Note: If transfer was initiated by COC, no signature is required. ENTER “COC initiated” for operator signature.
Part B – Action by Transferring County	
7	Indicate the name of the transferring county.
8	Indicate the farm number of the farm being transferred
9	Enter legal description, location, or other description necessary to positively identify the tract or farm to be transferred. If transfer is initiated in receiving county, location shall be entered by receiving county and corrected where necessary by transferring county. In case of proposed combination, also enter any pertinent factors about operation of a single farming unit.
10	*--List all forms and documents being transferred. See paragraph 66.--*
11A and 11B	Indicate whether transferring COC recommends approval or disapproval. If disapproval, enter reason
12A and 12B	A member of the transferring COC shall sign and date. Note: COC may redelegate to CED the authority to approve in and out transfers of land between counties.
Part C – Action by Receiving County	
13A and 13B	Indicate whether receiving COC recommends approval or disapproval. If disapproval, enter reason.
14	Enter the receiving county farm number assigned to the transferred farm.
15	Enter the crop year for which the transfer is effective.
16A and 16B	A member of the receiving COC shall sign and date. Note: COC may redelegate to CED the authority to approve in and out transfers of land between counties.

FSA-179, Transfer of Farm Records Between Counties (Continued)

A Preparing FSA-179 (Continued)

Item Number	Instructions
Part D – Action by Representative of State Committee	
17A and 17B	Use for transfers between States. Indicate whether transferring STC recommends approval or disapproval. If disapproval, enter reason.
17C and 17D	A member of the transferring STC shall sign and date. Note: STC may redelegate to SED the authority to approve in and out transfers of land between counties.
18A and 18B	Use for transfers between States. Indicate whether receiving STC recommends approval or disapproval. If disapproval, enter reason.
18C and 18D	A member of the receiving STC shall sign and date. Note: STC may redelegate to SED the authority to approve in and out transfers of land between counties.
Part E – Action by Representative of DAFP	
19A, 19B, 19C, and 19D	For use by a DAFP representative only.