USDA United States Department of Agriculture
FSA Farm Service Agency

Coos/Curry FSA News

http://www.fsa.usda.gov/or/cooscurry.html

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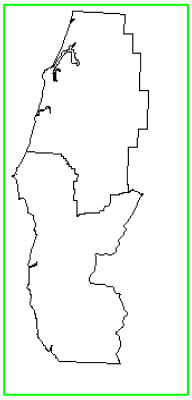
Coquille, OR 97423



July 2009

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Loan Staff Available
Call for an appointment!
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COUNTY FSA COMMITTEE
Chairman:
Eric Wiley – LAA-2
Vice Chairman:
Rick McKenzie – LAA-3
Member:
Sharon Waterman -LAA- 1

FSA Committee Nominations and Elections

Since COC elections happen only once a year, here is an election refresher. For election purposes, counties are divided into *local administrative areas*, or LAAs. Each LAA selects one producer to serve a three-year term on the Farm Service Agency county committee. Each year, an election is held in an LAA to replace the committee member whose three-year term is expiring. In counties with three LAAs, one seat is up for election. This year the Coos/Curry FSA Committee (COC) will be electing the representative from LAA2, Coos County, which is the Southern and Eastern part of Coos County, including the areas of Coquille, Fairview, Myrtle Point, Sitkum, and Powers.

Nominations

Candidate nominations for the FSA county committee election will be **accepted June 15 through Aug. 3, 2009.**

Producers who are residents in the LAA holding the election and who participate or cooperate in an FSA program and are of legal voting age may be nominated to serve on the county committee.

Individuals may nominate themselves or others as candidates. Organizations representing socially disadvantaged minorities and women farmers or ranchers may also nominate candidates.

The nomination form, FSA-669A, is available at the county office or may be downloaded from http://www.fsa.usda.gov/FSA/webapp?area=newsroom&subject=landing&topic=cce. To be valid, the **nomination form must be signed by the person being nominated**, indicating agreement to serve if elected. The **completed nomination form must be returned to the county office** by the close of business on **Aug. 3, or postmarked by midnight Aug. 3, 2009.**

Voting

Ballots will be mailed to eligible voters beginning Nov. 6, and must be returned to the county office by the close of business on Dec. 7, or postmarked by midnight Dec. 7, 2009.

Agricultural producers of legal voting age can vote if they participate or cooperate in any FSA program. A person who is not of legal voting age but supervises and conducts the farming operations on an entire farm can also vote.

No one can be denied the right to vote because of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation or marital or family status.

Candidate Eligibility

To hold office as a county committee member, a person must meet the basic eligibility criteria:

- Participate or cooperate in a program administered by FSA
- Be eligible to vote in a county committee election
- Reside in the LAA in which the person is a candidate
- Not have been:
- Removed or disqualified from the office of county committee member, alternate or employee
- Removed for cause from any public office or have been convicted of fraud, larceny, embezzlement or any other felony
- Dishonorably discharged from any branch of the armed services.

For additional clarification about county committee elections, contact the Coos/Curry FSA office. Contact information appears on the left side of this page

Power of Attorney

For those who find it difficult to visit the county office personally because of work schedules, distance, health, etc., FSA has a power of attorney form available that enables you to designate another person to conduct your business at the office. If you are interested, please contact our office or any Farm Service Agency office near you for more information. If you want a crop loan, a power of attorney form will need to be completed for husband and wife, if both do not come into the office to sign the forms on the day the loan is disbursed.

Maintenance of CRP Cover

CRP & CREP participants cover are responsible for maintenance according to the conservation plan. All CRP maintenance activity **must be conducted outside the primary nesting season for wildlife** and in accordance with the conservation plan. For **Coos & Curry, the primary nesting season is March 15th through July 15th**. Spot treatment of the acreage may be allowed during the primary nesting season on a case-by-case basis.

Changes in Payment Limitations

The payment limitation provisions over the last 39 years have been expanded to more programs. Some of the changes in this area are listed below.

New forms for 2009 and subsequent years

Anyone that plans to participate in 2009 programs is required to submit a completed CCC-902, CCC-926, and CCC-901, if applicable, for payment eligibility and payment limitation purposes. The form used prior to 2009 was named CCC-502.

Another change for 2009, every member must make a contribution in an entity

All partners, stockholders, or members with an ownership interest in the legal entity must make a contribution, **whether compensated or not compensated**, for active--*

- personal labor,
- active personal management,
- or a combination of active personal labor and active personal management to the farming operation;

*Note: there are exceptions for spouses.

Crop Reporting

The annual requirement of reporting to the FSA office can be referred to as crop reporting, acreage reporting, or crop certification. Filing an accurate and timely report for all crops and land uses, including failed acreage, can prevent loss of benefits for a variety of Farm Service Agency programs. All cropland on the farm must be reported to receive benefits from the Direct and Counter-cyclical Program, marketing assistance loans and Load Deficiency Payments.

The certification form FSA-578, must account for all cropland on a farm, whether idle or planted.

Certification deadline EXTENDED TO AUGUST 14, 2009.

CRP & NAP Certification

Conservation Reserve Program (**CREP**) acreage must be reported to receive annual rental payments. And, crop acreage for Non-insured Crop Disaster Assistance Program (**NAP**) must also be reported.

Prevented Planting:

Prevented planting is to be reported no later than 15 calendar days after the final planting date.

Failed Acreage:

Reports of failed acreage must be filed before disposition of the crop, and producers must be able to establish to the satisfaction of the county committee that the crop failed and was prevented from being replanted through the normal planting period because of natural disaster conditions.

Farm Reconstitutions

For FSA program purposes, tracts having the same owner and the same operator are grouped under one farm serial number. When changes in ownership or operation take place, a farm reconstitution is necessary.

The reconstitution—or recon—is the process of combining or dividing farms or tracts of land based on the farming operation. Remember, to be effective for the current year, recons must be requested by **August 1** for farms enrolled in specific programs.

The following are the different methods used when doing a farm recon:

Estate Method — the division of bases, allotments and quotas for a parent farm among heirs in settling an estate;

Designation of Landowner Method — may be used when (1) part of a farm is sold or ownership is transferred; (2) an entire farm is sold to two or more persons; (3) farm ownership is transferred to two or more persons; (4) part of a tract is sold or ownership is transferred; (5) a tract is sold to two or more persons; or (6) tract ownership is transferred to two or more persons. In order to use this method the land sold must have been owned for at least three years, or a waiver granted, and the buyer and seller must sign a Memorandum of Understanding;

DCP Cropland Method — the division of bases in the same proportion that the DCP cropland for each resulting tract relates to the DCP cropland on the parent tract;

Default Method — the division of bases for a parent farm with each tract maintaining the bases attributed to the tract level when the reconstitution is initiated in the system.

Report changes to Farming Operation

Be sure to notify FSA if your operation has changed either through purchase or sale of land or rent/lease of new property. Notification is essential both to maintain accurate records and to maintain program eligibility.

In order to be added to a farm on FSA records, you must provide a copy of a lease, or a statement from the land owner if renting or leasing. To report ownership changes, please provide proof of ownership.

Weather Losses

If you suffer crop losses due to damaging weather, you need to report those losses to the FSA office within 15 days of the date the disaster event occurred. This is a requirement for producers that have NAP coverage. All other producers are encouraged to report losses as they occur. These reports are important in the event a disaster program is implemented.

Controlled Substances

Program participants convicted under federal or state law of any planting, cultivating, growing, producing, harvesting or storing a controlled substance are ineligible for program payments and benefits.

If convicted of one of these offensives, the program participant shall be ineligible during that crop year and the four succeeding crop years for DCP payments, price support loans, LDP payments, market loan gains, storage payments, farm facility loans, NAP payments or disaster payments.

Program participants convicted of any federal or state offense consisting of the distribution (trafficking) of a controlled substance shall, at the discretion of the court, be ineligible for any or all program payments and benefits:

- for up to 5 years after the first conviction
- for up to 10 years after the second conviction
- permanently for a third or subsequent conviction.

Program participants convicted of federal or state offense for the possession of a controlled substance shall be ineligible, at the discretion of the court, for any or all program benefits.

DCP & ACRE Sign-up Underway

Signup for the 2009 Direct and Counter-cyclical Payment (DCP) Program has been **extended until August 14, 2009**. FSA will not accept any late-filed applications. Signup in the ACRE option is also available through August 14, 2009.

FSA computes DCP Program payments 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, you may request to receive advance direct payments based on 22 percent of the direct payment for each commodity associated with the farm. Counter-cyclical payment rates vary depending on market prices and are issued only when prices fall below a threshold level.

The electronic DCP (or eDCP) service will save you time, reduce paperwork and speed up contract processing at FSA offices. It is available to anyone eligible to participate in the DCP Program. To access this on-line service, you must have an active USDA eAuthentication Level 2 account, which requires filling out an online registration form at http://www.eauth.egov.usda.gov followed by a visit to the local USDA Service Center for identity verification.

Crop Loan Rates

Selected commodity prices for July 7, 2009

Commod-ity	Loan Rate	LDP Rate
Barley $/bu	2.15	$0.0
Corn $/bu	2.35	$0.0
Oats $/bu	1.35	$0.0
Wool $/lb	0.38	$0.29

FSA Signature Policy

Using the correct signature when doing business with FSA can save time and prevent a delay in program benefits. The following are FSA signature guidelines:

A married woman shall sign her given name: Mrs. Mary Doe, not Mrs. John Doe

For a minor, FSA requires the minor' signature and one from an eligible parent. By signing the applicable document, the parent is liable for actions of the minor and may be liable for refunds, liquidated damages, etc

When signing on one's behalf the signature must agree with the name typed or printed on the form, or be a variation that does not cause the name and signature to be in disagreement. Example - John W. Smith is on the form. The signature may be John W. Smith or J.W. Smith or J. Smith. Or Mary J. Smith may be signed as Mrs. Mary Joe Smith, M.J. Smith, Mary Smith, etc

What do you mean by Graduation?

FSA's "Graduation" has nothing to do with formal education. Graduation is the requirement for FSA Farm Loan Program (FLP) Direct Loan customers to refinance their FSA loans when it appears that they can obtain financing from a conventional lender like a bank, credit union or Farm Credit System lender to refinance their FSA loans. FSA does not replace conventional credit and FSA credit is available to customers only until such time as conventional credit is available to finance their needs.

Furthermore, FSA is required to review customers annually to determine our customers' financial fitness for refinancing. This is one of the reasons we contact our borrowers to obtain current financial information. Additionally, FSA loan guarantees are available to lenders who refinance FSA Direct loans. We can offer lenders up to a 95% guarantee and waive our 1% guarantee fee, if the loan request is to primarily refinance a FSA Direct loan.

This year we have had a huge increase in the number of customers voluntarily refinancing due to the historically low interest rates offered and the willingness by some farm lenders who participate in FSA loan guarantee program to extend credit to our customers.

If you are interested in refinancing your FSA direct loan while rates are low and wish to contact local lenders who participate in FSA's farm loan guarantee program, please call Jim Jutson at 541-673-6071, ext. 108 for more information.

FSA Signature Policy *(continued)*

Spouses may sign documents on behalf of each other for FSA and CCC programs in which either has an interest, unless written notification denying a spouse this authority has been provided to the county office

Spouses shall not sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations, or other similar entities

All members of a general partnership must sign for the general partnership unless an individual is authorized to act on the behalf of the general partnership and bind all members

Spouses may sign on behalf of each other's individual interest in a partnership, unless notification denying a spouse that authority is provided to the county office

Acceptable signatures for general partnerships, join ventures, corporations, estates, and trusts shall consist of an indicator "by" or "for" the individual's name, individual's name and capacity, or individual's name, capacity, and name of entity

Coos/Curry County FSA Office
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Requesting 2009 LDPs

To request 2009 crop loans or loan deficiency payments (LDP), you must use the CCC-633 EZ.

- **Page 1** – Producer's *intention to request* LDPs in the future: Can be signed anytime, and **must be signed before "beneficial interest" is lost**.
- **Page 4** – Producer's *request for LDP* payment on wool, mohair, and/or unshorn lambs (pelts): Can be submitted anytime after the crop is "harvested" or after sale.

Cooperation with RMA:

FSA and the Risk Management Agency (RMA) work together to improve program compliance and integrity of the Federal Crop Insurance Program. RMA and FSA coordinate to identify, address and reconcile discrepancies of all relevant producer-derived information, and to coordinate a monitoring program to include fact finding relative to allegations of program fraud, waste, and abuse.

FSA will assist RMA and insurance providers in monitoring conditions throughout the growing season and conduct growing season inspections. All suspected cases of fraud, waste, and abuse concerning the Federal Crop Insurance Program will be referred to RMA. FSA will also assist RMA with auditing claims. Producers may also report suspected cases of fraud, waste, and abuse to their local FSA County Office, the RMA Office or OIG.

Dates to Remember	
July 9 to July 12, 2009	Curry County Fair
July 21, 2009	**Regular COC Meeting**
July 28 to Aug 1, 2009	Coos County Fair – *stop by the Natural Resources tent!*
Aug 3, 2009	COC Nominations Deadline
Aug 14, 2009	**Last Day** to signup for 2009 **DCP/ACRE program**
Aug 14, 2009	**Last Day** to **timely file 2009 Acreage Reports**
Aug 18, 2009	**Regular COC Meeting**
Sept 1, 2009	**2010 Nursery Nap deadline**
Sept 15, 2009	**Regular COC Meeting**
On-going	Sign-up for CREP, GRP, 2009 LDP
Within 15 days	NAP notice of loss. Must report damage within 15 days of damage or when damage is apparent.

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To file a complaint of discrimination, write USDA, Director, Office of Adjudication and Compliance, 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.