

# USDA NEWS

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**Hours**

Monday-Friday  
7:00a.m. – 4:30 p.m.

**County Committee**

Daniel Warning  
Doug Lay  
Dale Stice  
Linda Rutledge—Advisor

County Committee meets  
the 2<sup>nd</sup> Thursday of the  
month at 8:00 AM.

**Staff**

Mary Ann Evans  
Pam Hunolt  
Lisa Logsdon  
Randy Scoggin  
John Wheeler—CED

**District Director**

Tom Balsler  
Shelby County

**Farm Loan**

Kurt Shelangoski  
Clark/Lewis County

## ***Service Center Plans Open House March 22<sup>nd</sup>***

The Lewis County Farm Service Agency, Natural Resources Conservation Service, Pheasants Forever, University Extension and the Soil & Water Conservation District are hosting an Open House on Thursday, **March 22, 2007** at the USDA building in Monticello, Missouri. The Open House will begin at 8:00 a.m. and continue till 4:00 p.m. Personnel from all agencies will be available to visit with you concerning any questions you may have about USDA programs. A power point presentation about quail habitat will run throughout the day. Lewis County Landowners will have the opportunity to vote for Supervisors for Lewis Soil & Water Conservation District. If available, wildlife food plot seed will be distributed to interested landowners.

Free tree seedlings will be given away and a drawing will be held for a door prize. Take time to come see us, visit and enjoy refreshments with staff and other landowners on Thursday, March 22<sup>nd</sup>.

## ***2007 DCP Sign-Up***

The annual sign-up for the Direct and Counter-Cyclical Program will continue through June 1, 2007. Advance payments of 22% are available. A \$100 late file fee will be charged for contracts not returned by the June 1 deadline.

The DCP contract includes base acres, payment acres, payment yields, producer payment shares, advance direct and counter-cyclical payment selections. All owners and operators on the farm must sign the CCC-509 contract.

The following documents are required to be submitted or on file before the county committee can approve a producer's share for payment: an average adjusted gross income certification (CCC-526); a certification of compliance with highly erodible land and wetland conservation provisions (AD-1026), and payment eligibility forms.

## ***No General CRP Signup***

The Secretary of Agriculture has announced that there will be no general Conservation Reserve Program (CRP) signups in either 2007 or 2008.



### **Crop Reports**

County offices are taking crop reports on planted acres of wheat, barley, and oats. Producers may also report CRP and permanent pasture acres at this time.

A complete acreage report on **all cropland** must be filed in order to receive program payments. The deadline for small grains is June 30, 2007. The final reporting date on all cropland is July 31, 2006.

### **Prescribed Burns On CRP Acres**

If you intend to burn CRP acres this spring be sure to request a burn plan from NRCS. The burn plan gives you a detailed directive on how to properly conduct a burn on your acres. Obtaining a burn plan is required if you intend to burn CRP acres. Contact either Nate Goodrich or Justin Evans for more details.

### **Farmer's Choice of Administrative County**

New program policy for 2007 gives producer a choice when selecting where they choose to conduct FSA business. Until recently, the county administrative office for program participants was typically the county office in which the principal farm operator resided. Now, a producer may choose an administrative county if it is significantly more convenient. The county must be adjoining or contiguous to where the farm is physically located. This is a one time selection process for the current operator of the farm, and may not be used to circumvent program provisions in any way.

If this is an option you would like to explore please contact your local county office. A farm transfer can be initiated by the farm owner or operator in either the transferring county or the receiving county. Please note that all parties involved will have to sign form FSA-179, *Transfer of Farm Records Between Counties*. Also, the farm transfer is contingent upon the approval of the County Committee.

### **CRP Expiring September 30, 2007**

Beginning July 1 of the final year of CRP-1, CRP cover may be modified on certain acreage before CRP-1 expiration to prepare a seedbed for **fall and spring-seeded** crops.

This provision requires that participants:

1. Obtain an approved conservation plan for the modification of cover from NRCS
2. Not be assessed a payment reduction
3. Submit requests to Lewis County FSA committee to start this Activity

#### **Fall-Seeded Crops**

CRP cover may be destroyed on certain acreage before CRP-1 expiration to prepare a seedbed for fall-seeded crops.

#### **Spring- Seeded Crops**

In the final year of CRP-1, participants are permitted to apply chemicals to prepare certain CRP acreage for spring-seeded crops. Destruction of the CRP cover by any other means is not permitted. Seedbed preparation is not permitted before CRP-1 expires.

**Notes:** Participants may mow CRP acreage before applying chemicals to prepare CRP acreage for spring-seeded crops, if the mowing is conducted outside the primary nesting or brood rearing season.

Participants shall not hay, graze, or otherwise make commercial use of CRP acreage in preparing the acreage for spraying.

## Policy Changes for Signature Authority

Due to recent audits and investigations by the Office of Inspector General, county offices are following some new policy changes regarding signature authority. Most producers are aware of the terms Power of Attorney, Signature Authority, or Representative Capacity. For FSA purposes, a producer or someone serving as representative for an entity (trust, corporation, LLC, etc.) can execute a Power of Attorney form (FSA-211) giving someone the authorization to sign FSA forms on their behalf. The FSA-211 can give authority for all current and future programs or can be more restrictive. This Power of Attorney is only good for the Farm Service Agency; it does not give a legal power of attorney for functions outside of FSA.

Many producers operate as an entity (trust, corporation, LLC, etc.) and will be required to submit documents to FSA confirming the legal formation of the entity, and who has the legal representative capacity to sign on behalf of the entity. In the case of a corporation, a meeting may be required with minutes documenting who the members have given signature authority to. Also the documents provided need to show if the person with representative capacity can re-delegate on a FSA-211 to another individual to sign. Husbands and wives automatically have authority to sign for each other unless written notice is given to FSA. ***In any case, regardless of what type of operation you have proper signature authority must be on file before you can sign up for any FSA program.***

### Make FSA A Part of Your Estate Planning

Trusts have become popular in recent years. Many FSA farm programs have certain requirements specific to trusts. Most producers are under the impression that their trust does not go into effect until the time of their death, but in almost all cases the land has been deeded over to the trust. When FSA asks who owns the farm, the producer will in most cases reply that “they” do, but “they” do not, the trust does. Most people do not see the distinction because they operate the trust using their own Social Security number. However, to stay in compliance with FSA programs our records must be a “true reflection” of the farming operation including land ownership.

### Rules Regarding Land Deeded to a Trust

For FSA payment limitation purposes, determinations are made based upon who owns the land and equipment and who provides the capital, labor or management. Some producers still wish to receive payments as an individual, even though the land has been deeded to the trust. In order to be paid as an individual, *that person* would have to be providing significant contributions, not the trust or another operator. If another operator provides the labor, equipment and capital while the trust owns the farm, all the individual would be contributing is possibly some management. This would not be enough to qualify for a payment. The trust itself is automatically approved under landowner provisions. Even though your lawyer or accountant may not make the distinction because the same Social Security number is used, for FSA purposes there is a difference between you as an individual and your trust. If you have questions be sure to contact your local FSA Office.



#### MARCH SELECT INTEREST RATES

- ◆ Farm Operating-Direct 5.0%
- ◆ Farm Ownership Direct 5.125%
- ◆ Limited Resource 5.00%
- ◆ Farm Ownership-Direct Down Payment or Beginning Farmer 4.00%
- ◆ Emergency 3.75%
- ◆ Farm Storage Facility 4.75%
- ◆ Commodity Loans 6.125%

### **Attention : Husbands and Wives**

*A husband and wife may sign documents of behalf of each other for FSA and Commodity Credit Corporation programs in which either has an interest. This option is automatically available unless a written request for exclusion is made to the county office from either spouse. Husbands and wives, like other entities, who have “official” joint ventures or partnerships must have a power of attorney on file to sign for the entity.*

## DATES TO REMEMBER

### March 15

Nap Application Closing Date for Double Crop Soybeans, Pumpkins, Sunflower and Other Forages and Grasses

### March 15

Deadline for Prescribed Burning of Warm Season Grasses on CRP

### March 15-April 30

Dates for Prescribed burning or Chemical Burn of Cool Season Grass on CRP

### March 22

Lewis County Service Center Open House

### March 31

Final Date to Request Wheat, Oats, and Barley Loans or LDPs

### June 1

Final Date to Enroll in DCP Program

### Ongoing

- ◆ Farm Facility Loans.
- ◆ Wheat, Barley and Other Small Grain
- ◆ Update Farm Changes

## Measurement Service Rates

Rates for measurement services have increased in 2007. The initial charge is \$30, plus an hourly rate of \$16 for the first hour and \$8 for every 30 minutes after the first hour (minimum of 1 hour). This means every measurement service involving a farm visit will be a minimum of \$46 per visit. If you have questions regarding a fee you have been charged keep in mind that the time needed to complete calculations and related paperwork is also included in the measurement service fee.

## Controlled Substance

Any person who is convicted under federal or state law of a controlled substance violation could 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 and RMA Working Together

FSA and RMA work together to prevent fraud, waste and abuse in the Federal Crop Insurance Program. FSA will assist RMA throughout the growing season. Producers may report suspected cases of fraud to their local FSA or RMA Office.

Farm Service Agency



Visit our Web site:  
<http://www.fsa.usda.gov/mo>

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