



MAY 2007

## State Executive Director Comments

Greetings,

I hope this finds you busy in the fields planting this year's crops.



Included in this newsletter is information regarding the County FSA Committee election process. For your convenience, we have included a nominating petition. County Committees have played, and will continue to play, an important role in the administration of Farm Programs. I encourage you to participate in the process.

Wishing you a safe and prosperous crop season,

Gary J. Nelson, FSA State Executive Director

## 2007 Acreage Reports

Acreage reports must be filed for all cropland on the farm before any 2007 Direct and Counter-Cyclical (DCP) payments can be made or before eligibility can be established for marketing assistance loans and Loan Deficiency Payments (LDP's). Additionally, participants of the Conservation Reserve Program (CRP) and the Non-insured Assistance Program (NAP) must report the specific acreage for which benefits are being requested.

The deadline for submitting a timely filed acreage report is July 15, 2007. However, since July 15, 2006 falls on a Sunday, producers will have until Monday, July 16, 2007 to file a timely acreage report. Producers are reminded that filing an accurate acreage report for all crops and land uses, including failed acreage and prevented planting acreage, can prevent the loss of benefits for a variety of programs.

Also, producers who request prevented planting acreage credit must report the acreage and complete a CCC-576, Notice of Loss, within 15 calendar days after the latter of:

- the occurrence of prevented planting or
- the final planting date for the respective crop as established by RMA or FSA.

Producers must establish to the satisfaction of the County Committee that all cropland that was feasible to plant and prevented from being planted was affected by a natural disaster rather than a management decision. Additionally, producers are required to prove that preliminary efforts to plant the crop are evident, such as disking the land or orders for purchase or delivery of seed and fertilizer.

Producers requesting failed acreage credit must report the acreage before disposition of the crop to receive credit for that crop. The County Committee must be satisfied that the acreage was planted under normal conditions, but failed as a result of a natural disaster and not a management decision.

## Various Lease Agreements Impact DCP Participation

Producers are reminded that flexible and combination leases must be provided to FSA for review and may alter the terms of the DCP contract. If a lease provides for both a guaranteed amount and an amount based on a crop share or an amount based on gross proceeds, both the owner and operator are required to share in DCP.

## eLDP's

FSA allows electronic access for authorized producers to request LDP's using a personal computer. This allows producers to request LDP's at their convenience and receive payment within two business days with direct deposit. In order to obtain authorization, a producer must register for an "eAuthentication Level 2 Account." Registration can be completed by logging onto: <http://www.eauth.egov.usda.gov/eauthCreateAccount.html>

Producers must file a CCC-633 EZ page 1 with the administrative county FSA office and request a "Customer Profile" be established for their farm production that they intend to use for LDP.

After completion of these items, individual producers and authorized signature representatives for corporations can then file eLDP applications. Producers involved in general partnerships and joint venture operations must continue to file their applications with the county FSA office at this time.

## Payment Limitation

Federal statute limits the amount a producer may earn in marketing loan gains and LDP's to \$75,000 for grains, oilseeds and pulse crops. There is a separate \$75,000 limitation for honey, wool, mohair and unshorn pelt marketing loan gains and LDP's.

## 2006 Commodity Loan and LDP Deadline

Producers planning to use the commodity loan program for their 2006 crops are reminded that May 31, 2007 is the deadline for filing applications for the following 2006 crops: corn, dry peas, grain sorghum, lentils, mustard, safflower, small chickpeas, soybeans and sunflowers. May 31 is also the deadline for requesting a loan deficiency payment (LDP) for the crops earning an LDP.

To be eligible for a loan or LDP, a producer must have complied with the annual program requirements for the farm that produced the crop, maintain beneficial interest in the commodity, and not have a delinquent federal nontax debt.

Commodity loan and LDP applications must be filed with the county FSA office that maintains the farm program records for the farm that produced the crop. Producers interested in a commodity loan or LDP on the above listed commodities should contact their local county FSA office staff prior to the May 31 deadline.

## Wool and Mohair Loans

Nonrecourse farm-stored loans are available for wool and mohair sheared in calendar year 2007. Loans are available on 2007 crop wool and mohair through January 31, 2008. The ungraded wool loan rate is \$.40 per pound; mohair is \$4.20 per pound.

Eligible producers must have beneficial interest in the wool or mohair, reported acreage for any owned or operated cropland, be in compliance with highly erodible and wetland provisions, and not have a delinquent non-tax federal debt. In addition, the sheep or goats that produced the wool or mohair must have been owned for not less than 30 calendar days before shearing.



Eligible wool or mohair must have been produced and shorn in the United States, be in existence and in storable condition, and unprocessed.

Wool loans can be requested as graded or ungraded. If a graded loan is requested, the wool must be core tested by a CCC-approved testing facility to determine the fiber diameter (micron) and yield. The core test results must be provided at the time of the loan application, and cannot be averaged for ungraded quantities commingled with graded quantities.

Wool and mohair must be stored in approved bags specifically designed for storing wool. These include:

- standard jute burlap bags
- polyethylene plastic film packs
- high density polyethylene packs
- nylon packs

Each bag of wool or mohair must be identified with a label containing the following information:

- producer name
- lot/bale/bag number
- commodity
- date of shearing
- for mohair, type (kid, adult, yearling, etc.)
- net weight, if available

Pre-loan inspections are required prior to loan approval to verify that the wool or mohair is packaged in acceptable bags, labeled as required, and stored in a structure that provides safe storage through the maturity date of the loan.

Loan service fees are the smaller of \$45, or one-half of one percent (.005%) of the gross loan amount plus \$3 for each additional lot over one.

The loan interest rate is based on the CCC announced rate for the month in which the loan is disbursed. The rate is based on the CCC borrowing interest rate plus one percent. The interest rate is subject to adjustment on January 1 of the following year if the loan is still outstanding. Loans mature 9 months after the month in which the loan was disbursed. Wool and mohair loans that are not repaid by loan maturity will be settled through local sale. The settlement will be determined based on samples submitted to a CCC-approved core test laboratory. All expenses for advertising the sale, sampling, testing and weighing are the responsibility of the loan producers and will be included in the settlement charges.

Loan applications are available at the local county FSA office.

## Wool, Mohair and Unshorn Pelt LDP's

LDP's are available when the CCC-determined market repayment rate is below the commodity loan rate. If an LDP payment is requested, a producer agrees to forego obtaining a loan on the same quantity. If requesting a graded application, core test results are required and the application cannot later be changed to ungraded if core test results are not provided.

LDP's are only available after the wool or mohair is sheared. Approved storage is not required for commodities to be eligible for LDP.

## 2007 DCP Signup Extended

Signup for the 2007 DCP began on October 1, 2006 and will end on August 3, 2007. From August 3 through September 30, 2007, farms can be enrolled in the 2007 Program with a late fee of \$100 per farm. Producers can request a 22% advance payment of the Direct Payment.

## Fruit and Vegetable (FAV) Plantings and DCP

Producers are reminded that restrictions are in place for FAV plantings on DCP base acres. FAV's can be planted on "free acres" without restriction. Please contact your local FSA Office with any questions concerning planting restrictions and exemptions.

## DCP Contract Succession-in-interest

A transfer of, or change in, the interest of producers on a farm with a DCP contract will result in the termination of DCP payments, unless the transferee or owner agrees to assume the obligations of the DCP contract. All successors to the original DCP contract must sign a revised contract by September 30 of the current fiscal year.

Dates to Remember	
May 31	Deadline to request a loan or LDP on 2006 crop corn, dry peas, grain sorghum, lentils, mustard, safflower, small chickpeas, soybeans and sunflowers
June 19	No Till Tour at Dakota Lakes Research Farm, Pierre, SD. Cost: \$30. Contact Stutsman County NRCS or CES for information (701-252-9030).
July 16	Acreage Reporting Deadline
July 16	2006 Production Reporting deadline for NAP and deadline to file application for 2006 NAP payment.
August 3	Deadline to timely enroll in 2007 DCP.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs 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 a 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.

## New Wetland Symbols

Before the implementation of the Farm Service Agency (FSA) Common Land Unit (CLU) project, maps created for the producer contained labels and delineations of NRCS wetland determinations. The move to using CLU and other digital data to create producer maps brought about the blue dot to represent these wetland determinations. While information on the type and size of the wetland determination is stored in an FSA database, a blue dot on a map provides no information other than the fact that a determination exists in the area. However, the intent of the blue dot was simply to provide a wetland symbol on producer maps until a wetland layer, including delineations of the wetland area, could be completed by NRCS.



Recently, concerns have been raised about the use of blue dots on CLU maps. Farm organizations and some individuals have interpreted the use of blue dots on FSA photocopies as representative of a change in the Wetland Conservation Compliance policy by FSA or NRCS. Others are concerned that areas previously designated as "PC" on photocopy maps, now represented by a blue dot, may eventually be revised with an alternative determination. Neither agency has issued any recent policy changes that would impact wetland boundaries or identifying designations as they are currently managed. In response to these concerns, FSA and NRCS have collaboratively decided to revise the wetland symbol legend and add a disclaimer on the CLU printout maps.

### A New Wetland Symbol Grouping and Legend

With the release of the new software in the near future:

- the wetland types will be grouped into the following 3 categories referred to as Wetland Determination Identifiers on CLU maps:
  - "Restricted Use" (W, CW, CW+YR, AW/W, GFW, GFW+YR, RSW, RSW+YR, RPW), which is represented by a red octagon
  - "Limited Restrictions" (FW, FWP, CWNA, AW/FW, CWTE, TP, WX, MIW, MW, MWM, CMW, NI, OW, Easement), which is represented by an upside-down yellow triangle
  - "Exempt from Conservation Compliance Provisions" (PC, NW, PC/NW, CC, NW/NAD, AW), which is represented by a green square
- the legend will appear as follows on all CLU maps.

#### Wetland Determination Identifiers

-  Restricted Use (red octagon)
-  Limited Restrictions (yellow inverted triangle)
-  Exempt from Conservation Compliance Provisions (green square)

### New Wetland Symbol Disclaimer

With the new software release, all CLU maps will now include the following disclaimer concerning the wetland symbols. "Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact wetland boundaries and labels, or contact NRCS."

## Weed Control on CRP

With the start of the new growing season comes a new growth of weeds. Remember to check CRP for weed growth throughout the growing season. Weeds must be controlled to the extent they do not adversely impact the required cover or surrounding land owners.

It is the CRP participants' responsibility to monitor weed infestations and take timely control action. If possible, limit control to spot treatments. Notify FSA of action that is taken to control weeds.

## Nominations for County Committee Election

The Farm Service Agency (FSA) will be conducting its annual committee election in November 2007. FSA County Committees represent farmers in their local communities and make decisions on crop bases and yields, commodity loans, conservation programs, disaster payments and other federal farm assistance programs. The current County Committee consists of 3 members elected from 3 Local Administrative Areas (LAA's) or districts in all counties with the following exceptions: 1) Stark/Billings and Bowman/Slope each have a combined County Committee consisting of 5 LAA's and 5 COC members. 2) Mountrail County has a 5 member Committee from 4 LAA's. The LAA that is up for election this year is identified by the number in the table provided below. Please contact your local FSA Office for further information and details regarding the specific LAA conducting the election in your county or you may contact the state office at 701-239-5224. Informational meetings regarding the election are held the first Wednesday of each month at 10:00 a.m. in your local county office.

**NOMINATIONS** for County Committee are accepted through August 1, 2007. A nomination form is printed in this newsletter for your convenience. If nominating yourself or another eligible candidate, please complete the form provided in this newsletter and return to your local county office. Nomination petitions and fact sheets are also available at <http://www.fsa.usda.gov/FSA> under the News & Events tab. We encourage all producers to take an active roll in nominating and voting for the candidate of your choice. A candidate is eligible to hold office on the county committee if they reside in the County and have their farming interest administered in the LAA for which they are a candidate. A candidate has the option to request that all voted ballots for an individual county committee election be returned to the State Office in lieu of being returned to the county office. This request must be in writing and submitted to the local County Executive Director prior August 1. Important COC Election Dates in 2007: August 1: Final date to nominate. November 2: Ballots mailed to eligible voters. December 3: Completed ballots to be returned or post-marked. December 10: Final date to count ballots.

LAA	County
1	Bottineau, Bowman, Burke, Dickey, Dunn, Golden Valley, Grand Forks, Griggs, Kidder, LaMoure, McHenry, McIntosh, McLean, Morton, Oliver, Sargent, Stark, Stutsman, Traill, Walsh, Williams
2	Adams, Burleigh, Cass, Cavalier, Divide, Logan, Mercer, Mountrail, Pembina, Rolette
3	Barnes, Benson, Eddy, Emmons, Foster, Grant, Hettinger, McKenzie, Mountrail, Nelson, Pierce, Ramsey, Ransom, Renville, Richland, Sheridan, Sioux, Stark, Steele, Towner, Ward, Wells,
4	
5	Bowman

**Enter the applicable LAA Number in item 6B**

**NOMINATION FORM FOR COUNTY FSA COMMITTEE ELECTION**

1. NAME OF NOMINEE (Type or Print Nominee's Full Name)	
2. ADDRESS OF NOMINEE	
<b>3. NOMINEE'S CERTIFICATION</b> <i>I hereby agree to have my name placed on the ballot, that I will serve if elected, and if there is a conflict of interest, I will resign such position.</i> <input type="checkbox"/> <i>I DO want to witness the settling of tied votes with another nominee.</i> <input type="checkbox"/> <i>I DO NOT want to witness the settling of tied votes with another nominee.</i>	
4A. SIGNATURE OF NOMINEE	4B. DATE (MM-DD-YYYY)
<b>TO BE COMPLETED BY COUNTY FSA OFFICE</b>	
5. INITIALS OF EMPLOYEE RECEIVING FORM AND DATE (MM-DD-YYYY)	
6A. COUNTY	
6B. LAA NO.	
7. STATE	
<b>DATE OF ELECTION IS 1st MONDAY OF DECEMBER OF EACH CALENDAR YEAR</b>	

**8. TO BE COMPLETED BY NOMINEE**

**VOLUNTARY INFORMATION FOR MONITORING PURPOSES:** The following information is requested by the Federal Government in order to monitor FSA's compliance with federal laws prohibiting discrimination against program participants on the basis of race, color, national origin, religion, sex, marital status, handicapped condition, or age. You are not required to furnish this information, but are encouraged to do so. This information will not be used in evaluating your nomination or to discriminate against you in any way.

ETHNICITY		RACE (Choose as many boxes as applicable)		GENDER	
<input type="checkbox"/> Hispanic or Latino	<input type="checkbox"/> America Indian or Alaska Native	<input type="checkbox"/> Black or African-American	<input type="checkbox"/> Male	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> Female
<input type="checkbox"/> Not Hispanic or Latino	<input type="checkbox"/> Asian	<input type="checkbox"/> White			

**INSTRUCTIONS FOR COMPLETING THIS FORM**

Complete the form as follows:

**ITEM 1** Type or Print the nominee's full name. The nominee must be:

- A. Eligible to vote in the designated County FSA Committee election.
- B. Eligible to hold the office of County FSA Committee member.
- C. Willing to serve if elected.

**ITEM 2** Enter the nominee's current address.

**ITEM 3** The nominee must check one of the boxes to indicate a preference regarding the settling of tied votes.

**ITEM 4** The nominee must sign and date.

**ITEM 8** Completing this item is voluntary.

**ALL FORMS MUST BE RECEIVED IN THE COUNTY OFFICE OR POSTMARKED BY AUGUST 1.**

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a) and the Paperwork Reduction Act of 1995, as amended. The authority for requesting the following information is 7 CFR Part 7. The information will be used to obtain nominees for County FSA Committee.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0560-0229. The time required to complete this information collection is estimated to average 5 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.