



July 2009



Bear Lake County FSA News

USDA Bear Lake County Farm Service Agency

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FSA COC Nomination Deadline

County committee members play a crucial role in helping the county office staff implement the Farm Bill Programs. Right now, producers can have an impact on the election of the county committee by nominating eligible candidates by the August 3, 2009, deadline.

To become a nominee, eligible individuals must complete and sign form FSA-669A. The form and other valuable information about FSA county committee elections are available online at: <http://www.fsa.usda.gov>; click on News & Events, then County Committee Elections. Nomination forms must be postmarked or received in the local office by Aug. 3, 2009.

The committee consists of three members who are elected by eligible local producers. Members serve three-year terms. They make decisions on disaster and conservation programs, emergency programs, commodity price support loan programs and other important agricultural issues

FSA will mail ballots to producers beginning Nov. 6. Completed ballots must be returned by Dec. 7, either by mail or in person.

DCP & ACRE Signup Deadline

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

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 the effective price for a commodity is statutorily set below its target price.

This new ACRE program is authorized by the

2008 Farm Bill that began in crop year 2009. Through ACRE, USDA offers producers an alternative to Direct and Counter-cyclical (DCP) payments. The ACRE alternative 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. A decision to elect ACRE is irrevocable and binds the producer to the program through the 2012 crop year. An online calculator and ACRE fact sheet is available to producers by going to www.fsa.usda.gov and clicking on *Direct and Counter Cyclical Program/Acre* in the subject area on the left-hand side of the page and then following the link to the spreadsheet.

Help Available to Stressed Farmers

In the past year, the economy, inclement weather, drought and other factors have hurt many farming operations around the country. These events pushed some farmers to the emotional breaking point. Watching their livelihood being threatened is difficult for farmers and ranchers and especially for those who care about them.

The National Suicide Prevention Hotline is available to help. If you know a farmer or rancher who is under stress and is reluctant to ask for help, or if you just need to talk to someone, call 1-800-273-TALK (8255). Your call will be routed to the crisis center nearest you, where trained staffers are available 24/7. This nationwide service is free and confidential. Help is just a phone call away.

For more information, go to <http://www.suicidepreventionlifeline.org/>. (This service is not affiliated with the US Department of Agriculture.)

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.

Successor In Interest

Many FSA programs will allow payments to be made to heirs or successors when a program participant passes away. Additionally, contracts in programs such as CRP must be revised to reflect the successor(s) to a deceased participant's interest.

In the event of an FSA program participant's death, it is important that FSA be notified. Entities and joint operations that participate in FSA programs also need to notify FSA if a shareholder or member passes away. Since FSA benefits are reported to IRS, maintaining current, accurate records about participants is vital to ensure that those payments are reported correctly.

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's signature and one from an eligible parent

Note, 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

FAXED signatures will be accepted for certain forms and other documents provided the acceptable program forms are approved for FAXED signatures. Producers are responsible for the successful transmission and receipt of FAXED information.

Examples of documents not approved for FAXED signatures include Promissory Notes, Assignment of Payment, Joint Payment Authorization, NAP Actual Production History and Approved Yield Record, Acknowledgement of Commodity Certificate Purchase, Financing Statements and UCC financing statements.

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, joint 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

For additional clarification on proper signatures contact your local FSA office.

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.

Foreign Landowner Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program for USDA.

Foreign persons who have purchased or sold agricultural land in the 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 of up to 25 percent of the fair market value of the property.

County government offices, real estate agents, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

Banking Changes?

Almost all Farm Service Agency payments are made electronically using Direct Deposit. This innovation has cut down on the number of missing and late payments and reduced the time required to move funds. It has been calculated that having a problem with a payment is 20 times greater with checks than with Direct Deposit. Another benefit is that Direct Deposit to your account can be made within 48 hours.

To keep the system running smoothly, it's critical to keep the county office staff up to date on changes you might make in your financial institutions.

If you have changed accounts or institutions that might affect the direct deposit of your FSA payments, contact the FSA county office so we can update our files to insure continued uninterrupted service.

Special Accommodations

Reasonable accommodations will be made, upon request, for individuals with disabilities, vision impairment, or hearing impairment to attend or participate in meetings or events sponsored by the Farm Service Agency. If you require special accommodations to attend or participate in one of our events, please call the FSA county office and we will be happy to make any needed arrangements.

Crop Insurance Decisions

To maintain eligibility for the Supplemental Revenue Assistance Payments (SURE) and to qualify for disaster assistance, producers must obtain a policy or plan of insurance of at least catastrophic (CAT) level coverage for crop year 2010. Note: the more crop insurance coverage a producer has, the more the SURE guarantee will be.

Therefore, producers with fall planted commodities need to be making important crop insurance decisions for the 2010 crop year. Producers are encouraged to contact their local FSA office and visit with a crop insurance agent (a list of agents is available at all USDA Service Centers) to fully understand what crop insurance programs are available in the county and to ensure they are obtaining adequate coverage for eligibility.

The next round of sales closing dates for Federal crop insurance is:

August 31: Canola and Onions (fall planted types); September 30: Barley with winter coverage; dry peas with winter coverage; mint with winter coverage; forage production; forage (alfalfa) seed pilot; and wheat.

Note: The Adjusted Gross Revenue-Pilot and Adjusted Gross Revenue-Lite programs do meet the linkage requirements for SURE. Also, if there is no crop insurance coverage in a county for a specific crop, and that crop is insurable in another county under the traditional Federal crop insurance program, a producer may seek coverage by asking an agent whether they would be eligible for crop insurance coverage under a written agreement.

A 2010 Multi-Peril Crop Availability Listing by county is posted on RMA website, http://www.rma.usda.gov/aboutrma/fields/wa_rso/. Producers are encouraged to contact their local agent for additional details. In addition to USDA Service Centers, a listing of crop/livestock agents is also available at, www3.rma.usda.gov/tools/agents.

2009 Compliance

Compliance and spot checks will once again be utilized during the 2009 crop year. Instead of locally selecting farms, contracts, deficiency loans, etc. for spot check and review, a nationwide selection of producers is used to achieve an adequate statistical sampling of participating producers. Spot check selections are to be conducted based on a producer's participation in Conservation Reserve Program, Direct and Counter-cyclical Program, Loan Deficiency Program, etc.

For more information about the new spot check selection procedure, feel free to contact your local office.



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Crop Reporting Deadline Extended to Aug. 14, 2009.

Dates to Remember	
September 30	NAP Deadlines Start for 2010
Aug. 3, 2009	Deadline to file COC Nomination
Aug. 14, 2009	DCP / ACRE Signup Deadline
Aug. 14, 2009	Crop Reporting Deadline Extension

The United States 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 part of an individual's income is derived from any public assistance programs. (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 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."