



Emmet-Charlevoix County News

May 2010

Issue #2

**Emmet-Charlevoix
County USDA Service
Center**

**Emmet-Charlevoix
County FSA**
2235 E. Mitchell Rd.
Petoskey, MI. 49770
www.fsa.usda.gov/mi

Hours

Monday - Friday
8:00 a.m. - 4:30 p.m.

County Committee

Wilson Boss – Chairperson
Beverly Hinkley – Vice
Chairperson
Shane Kilpatrick – Member

The County Committee
meets on the second Tues-
day of each month starting
at 9:30 a.m. Open to the
public.

Staff

Sharon Roberts – Program
Technician
Bernie Soik – Field
Technician

Carmen A. Church –
County Executive
Director

DCP Signup Continues

**Signup for the 2010 Direct
and Counter-cyclical Pay-
ment (DCP) Program
continues until **June 1,
2010**. FSA will not accept
late-filed applications.**

**FSA computes DCP Pro-
gram payments using base
acres and payment yields
established for each farm.
Eligible producers receive
direct payments at rates
established by statute re-
gardless of market prices.
For 2010, you may request
to receive advance direct
payments based on 22 per-
cent of the direct payment
for each commodity asso-
ciated with the farm.
Counter-cyclical payment
rates vary depending on
market prices and are is-
sued only when the
effective price for a com-
modity is statutorily set
below its target price.**

**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 eli-
gible 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 on-
line registration form at
<http://www.eauth.egov.usda.gov>
followed by a visit to the local
USDA Service Center for identity
verification.**

**If you would like your paperwork
for DCP sent to you, please call
the office and we will get it out to
you.**

Nominations for County Committee Open June 15

**County Committee (COC) mem-
bers are a critical component of
the operations of Farm Service
Agency (FSA). They help in the
delivery of FSA farm programs at
a local level, as well as, work to
make FSA farm programs serve
the needs of local producers.**

**Since County Committee elec-
tions happen once a year, here is
a refresher. For election purpos-
es, counties are divided into local
administrative areas, or LAAs.
Each LAA contributes one pro-
ducer 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. Charlevoix County will
be holding an election for a per-
son to represent LAA 3, which
includes Charlevoix, Norwood,
Marion, Eveline, Peaine, St.
James, South Arm, Wilson and
Boyne Valley.**

Bank Account Changes

All FSA payments are to be made by direct deposit unless there is a financial hardship to prevent it. Producers need to notify us when accounts change to prevent a delay in payments.

Foreign Buyers Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holding to the Secretary of Agriculture.

Foreign persons who have purchased or sold 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% of the fair market value of the property.

This position is currently held by Wilson Boss.

Nominations for candidates to run for the FSA county committee election representing producers in Local Administrative Area 3 will be accepted from **June 15 through August 2, 2010.**

Producers who are eligible to vote in LAA 3 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. Additionally, organizations representing minority and women farmers may nominate candidates. All farmers, ranchers and other agricultural producers are encouraged to participate.

To be valid, the nomination form must be signed by the person being nominated, indicating agreement to serve if elected, and returned to the FSA county office by the close of business on August 2, or postmarked by midnight August 2, 2010.

A nomination form, FSA-669A, is included in this newsletter. More information on the elections, including nomination forms, is available at the county office or online at: <http://www.fsa.usda.gov/elections>

SURE

Currently applications for the Supplemental Revenue Assistance Program (SURE) are being taken for the 2008 Crop Year.

SURE provides benefits for farm revenue losses due to natural

disaster that were incurred starting in the crop year 2008 through September 30, 2011. To be eligible for SURE payments, a producer is required to obtain crop insurance on all crops of economic significance in all counties or, if crop insurance is not available, to participate in the Non-Insured Assistance Program (NAP) except for grazed acreage.

Eligible farmers and ranchers who meet the definition of Socially Disadvantaged, Limited Resource, or Beginning Farmer or Rancher are exempt from the risk management purchase requirement.

The following are the conditions that trigger SURE payments:

- at least one crop of economic significance must suffer a 10% production loss due to an eligible disaster condition,
- the crop of economic significance must be a crop that has contributed or would have contributed at least 5% or more of the total expected revenue from all crops on the farm,
- the farm experiencing the loss must be in a county declared a disaster county by the Secretary of Agriculture, or in contiguous counties. Those who show proof of an individual loss of at least 50% are also eligible to receive SURE payments for production losses or crop quality losses.

Losses are measured with consideration to the whole-farm revenue,

SPECIAL ACCOMMODATIONS

Special accommodations will be made upon request for Individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact this County Office in person or by phone.

which includes crop insurance indemnities and commodity program payments, so that producers are not paid more than once for the same loss.

A SURE calculator is available at: http://www.fsa.usda.gov/Internet/FSA_File/sure_calculator_2008.xls. The calculator is not official, but is intended for educational use. A fact sheet and Q & A are also available online at www.fsa.usda.gov.

Crop Reporting Time Fast Approaching

The annual reporting of acres for all crops and land uses, including failed acreage, can prevent loss of benefits for a variety of FSA programs. All cropland acres on the farm must be reported to receive benefits from the following programs:

- Direct and Counter-Cyclical Program(DCP);
- Acreage Crop Revenue Election (ACRE);
- Marketing assistance loans and loan deficiency payments;
- Conservation Reserve Program (CRP);
- Non-insured Crop Disaster Assistance Program (NAP)

Form FSA-578, Report of Acreage, must account for all cropland on a farm, whether idle or planted. Producers need to file their acreage reports by:

- **June 30, 2010** for fall seeded small grain crops;
- **July 15, 2010** for all crops, except fall seeded small grains.

Maintenance of DCP/ACRE Program Acres

DCP participants are required to protect all idle contract acres from erosion and weeds.

Idle fields designated as "contract acres" must have a sod cover, crop residue, or volunteer grasses. Weeds are not an acceptable cover and must be mowed.

Failure to control weeds on contract acres will cost you program benefits if the COC determines the producer failed to demonstrate a good faith effort to control weeds and/or erosion.

ACRE Program Signup

The optional ACRE Program provides a safety net based on state revenue losses and acts in place of the price-based safety net of counter-cyclical payments under DCP. The **June 1, 2010** signup deadline is mandatory for all participants. USDA will not accept any late-filed applications.

A farm's payment is based on a revenue guarantee calculated using a 5-year average state yield and the most recent 2-year national price for each eligible commodity. For 2010, the 2-year price average will be based on the 2008 and 2009 crop years.

An ACRE payment is issued when both the state and the farm have incurred a revenue loss. The payment is based on 83.3% (85% in 2012) of the farm's planted acres times the difference between the state ACRE guarantee and the state revenue times the ratio of the farm's yield divided by

ONLINE SERVICES

If you have internet access you can electronically log on, fill out and print a variety of FSA paper forms in the comfort of your home as your schedule allows.

You can also register for secure electronic access that will allow you to electronically sign and transmit some forms directly to the county office. If you are new to the website, first you will want to obtain a Level 2 Access at: <http://www.eauth.e-gob.usda.gov/> and then click on "Create an Account Page" link.

FARM CHANGES

Please notify our office well in advance of your DCP appointment any changes in farms that need to be added as well as any that you are no longer working. Changes do not update until the following day. For your farm listing to be correct when you sign up or certify please tell us those changes now. This includes changes to LLC's, Partnerships and Corporations.

the state expected yield.

The total number of planted acres for which a producer may receive ACRE payments may not exceed the total base on the farm.

In exchange for participating in ACRE, in addition to not receiving counter-cyclical payments, a farm's direct payment is reduced by 20%, and marketing assistance loan rates are reduced by 30%.

Actively Engaged

USDA has amended the rules that govern the requirements to be 'actively engaged' in farming. These rules apply to eligibility for payments under the Direct and Counter-cyclical Program (DCP) or Average Crop Revenue Election (ACRE) program administered by FSA.

Normally the stockholder or a member of a legal entity must make contributions of active personal labor and/or active personal management for the farming operation. The contributions are to be performed on regular basis, must be identifiable, and separate from the contributions of others.

The exception to this rule for a stockholder or member of a legal entity only occurs if both of the following apply:

- at least half of the interest in the legal entity is held by stockholders or members who are providing active personal labor or active personal management; and the total direct payments received, both directly and indirectly, by the legal

entity and each of the members can not exceed \$40,000.

Adjusted Gross Income

USDA has a Memorandum of Understanding with the Internal Revenue Service to establish an electronic information exchange process for verifying compliance with the adjusted gross income (AGI) provisions for farm programs. Written consent will be required from each producer or payment recipient for the tax review process. No actual tax data will be included in the report that IRS sends to FSA.

The agreement ensures that payments are not issued to producers whose AGI exceeds certain limits. The limits set in the 2008 Farm Bill are \$500,000 non-farm average AGI for commodity and disaster programs; \$750,000 farm average AGI for direct payments; and \$1 million nonfarm average AGI for conservation programs.

Participants in CCC programs subject to average AGI rules must submit form CCC-927 (Individual) and/or CCC-928 (Legal Entity) to the Internal Revenue Service by June 15 to avoid interruption of program benefits. These forms may be obtained from local FSA and NRCS offices or online at: <http://forms.sc.egov.usda.gov/forms>





Dates To Remember

- Continues – Continuous Conservation Reserve Program.
- Continues – Farm Storage Facility Loan.
- May 31 – Office closed, Memorial Day
- June 1 – DCP/ACRE enrollment deadline.
- June 30 – Final reporting date for fall seeded crops.
- July 5 – Office closed, Independence Day
- July 15 – Final reporting date for spring seeded crops.

Sodbuster, Swampbuster

Farm Service Agency programs require compliance with sodbuster and swampbuster provisions. These provisions require producers to follow an approved conservation system on all highly erodible land planted to an annual crop as

determined by the Natural Resource Conservation Service (NRCS).

Be sure to have determinations made on any new land you plan to plant to annual crops. If you plan to plant a different crop on your current cropland, check with NRCS to assure the new crop will qualify under your conservation system.

Swampbuster provisions state that converting a wetland to make possible the planting of a crop will result in the loss of all USDA benefits. To avoid this possibility it is strongly recommended that producers check with NRCS before starting to work in the fields.

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