



Lapeer/Oakland County News



Lapeer USDA Service Center

1739 N Saginaw St
Lapeer, MI 48446-7612
(810) 664-0895, Ext. 2
FAX: (810) 664-8254
www.fsa.usda.gov/mi

Hours
Monday – Friday
8:00 AM – 4:30 PM

County Committee
Jerry Cooper
Dennis Fogler
Barbra Knust
Terry Losh
Tom Valentine

Advisor
Alfonso Castillo

County Committee meets the
2nd Friday

County Staff
Marlene Chesney
Tara Eldridge
Diane Koehler
Lloyd “Doc” Russell

Farm Loan Staff
Larry Sheridan
Susan Swosinski

**County Executive
Director**
Andrew Calcaterra



FAX DOCUMENTS

REMINDER – Producers are responsible for the successful transmission and receipt of information provided to USDA-FSA through FAX or electronic transmission. USDA is not responsible for any transmission failures or any other problems that prevent the successful or timely receipt of FAX’s and electronic transmissions.

SERVICE CENTERS WILL NOT ACCEPT or approve any form or document received through FAX or electronic device if the date and time of the FAX cannot be verified.

Please verify your FAX machine time and date to ensure compliance with this requirement.

BANK CHANGES

Current policy mandates that FSA payments be direct deposited into your bank account. Please notify this office of any bank changes to ensure deposits are not delayed.

SURE PROGRAM UPDATE

The Supplemental Revenue Assistance Program (SURE) provides benefits for farm revenue losses due to natural disasters that occurred in crop years 2008 through 2011. To be eligible for SURE payments, producers are required to obtain crop insurance on all insurable crops in all counties or, if crop insurance is not available, participate in the Non-Insured Assistance Program (NAP) through the Farm Service Agency. Currently, FSA has received information on the 2008 SURE program. Please stop by the FSA Office to inquire about the eligibility of the 2008 SURE program.

Possible qualifications for this program are:

- At least one crop of economic significance suffered a 10% production loss due to an eligible disaster.
- All crops (both insurable and non-insurable) of economic significance were insured either by crop insurance or FSA.
- A crop insurance indemnity was received on a crop of economic significance in 2008.

However, FSA will close the application period for 2008 SURE program payments on September 30, 2010.

FARM CHANGES

All farm changes shall be reported to this office prior to enrollment but not later than August 1st to ensure farm records remain accurate for farm program participation.

FARM STORAGE FACILITY LOANS

These loans are available at great rates and terms. Revised provisions allow for greater flexibility in both value and terms of the loan agreement. For additional details contact your local FSA office.

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 with 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.



Marketing Assistance Loans

A Marketing Assistance Loan (MAL) is available for producers who share in the risk of producing the crop. To be eligible, a producer must maintain continual beneficial interest in the crop from harvest through the earlier of the date the loan is repaid or CCC takes title to the commodity. Beneficial interest means retaining the ability to make decisions about the commodity; responsibility for loss or damage to the commodity; and title to the commodity. Once beneficial interest in a commodity is lost, the commodity is ineligible for loan — even if the producer regains beneficial interest.

Commodity loan eligibility also requires compliance with conservation and wetland protection requirements; beneficial interest requirements, acreage reporting and ensuring that the commodity meets Commodity Credit Corporation minimum grade and quality standards. For commodities to be eligible they must have been produced by an eligible producer, be in existence and in a storable condition and be merchantable for food, feed or other uses as determined by CCC. The quality of the commodity in farm storage must be maintained throughout the term of the loan.

Producers do not have to participate in the Direct and Counter-Cyclical and/or ACRE Programs to be eligible for commodity loans.

Violating provisions of a marketing assistance loan may trigger administrative actions, such as assessing liquidated damages, calling the loan and denial of future farm-stored loans.

The most common violations are removing or disposing of a commodity being used as loan collateral without prior authorization and providing an incorrect quantity certification.



ADJUSTED GROSS INCOME PROVISIONS

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 participating in farm programs. Written consent will be **REQUIRED** for each producer or payment recipient for the tax review process. No actual tax data will be included in the report that IRS sends to USDA.

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 nonfarm 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 15th to avoid interruption of program benefits.** These forms may be obtained from your local FSA Office or online at: <http://forms.sc.egov.usda.gov/eforms/main servlet>

PREVENTED PLANTING

Definition - Failure to plant the insured crop by the final planting date designated in the Special Provisions for the insured crop in the county. You must have been prevented from planting the insured crop due to an insured cause of loss that is general in the surrounding area and that prevents other producers from planting acreage with similar characteristics.

Reporting- If you wish to receive credit for failed and/or prevented planting crops, you are required to report before destroying the failed crop or 15 days from final planting date.

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.

Every stockholder or member of a legal entity, such as a corporation, does not have to contribute labor or management 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 that together qualifies as a significant contribution to the farming operation.
- The total direct payments received, both directly and indirectly, by the legal entity and each of the members cannot exceed \$40,000.

SODBUSTER/SWAMPBUSTER PROVISIONS

Thinking of Tiling or Clearing Land? Most USDA programs require compliance with sodbuster and swampbuster provisions. Don't forget the Highly Erodible Land and Wetland Provisions. Bringing new land into production by clearing trees from woodlots and fence rows, improving drainage by tiling or dredging are potential violations of the HEL/WC rules. Before you begin any land conversion project, please come into the county office to file form AD-1026. Natural Resources Conservation Service will make an evaluation of your land to determine how to manage the wet areas of your land most efficiently. Checking ahead of time will help keep you eligible for USDA benefits.

CONSERVATION COMPLIANCE Highly erodible land (HEL) compliance is still required to earn program benefits. This includes payments under the Direct & Counter-Cyclical Program, Conservation Reserve Program, Loan deficiency payments, farm loan program, crop insurance and many other USDA programs. Farms with HEL soils need to be aware of tillage, crop residue, and rotation requirements spelled out in conservation plans. Contact NRCS at 810-664-0895 ext. 3

CREP, SAFE & CONTINUOUS CRP AVAILABLE

Environmentally sensitive acreage qualifying for the Conservation Reserve Enhancement Program (CREP), Conservation Reserve Program State Acres For Wildlife Enhancement (SAFE) Practice, and Continuous CRP are eligible for enrollment. These targeted programs remain funded, and continue to provide a heightened environmental benefit on select areas. For additional information or clarification, please contact this office.

Loans for the Socially Disadvantaged

FSA has a number of loan programs available to assist applicants to begin or continue in agriculture production. Loans are available for operating type loans and/or purchase or improve farms or ranches. While all qualified producers are eligible to apply for these loan programs, the FSA has provided priority funding for members if Socially Disadvantaged Applicants.

A socially disadvantaged applicant is one of a group whose members have been subjected to racial, ethnic or gender prejudice because of his or her identity as members of the group without regard to his or her individual qualities. For purposes of this program, socially disadvantaged groups are women, African Americans, American Indians, Alaskan Natives, Hispanics, Asian Americans, and Pacific Islanders.

If producers or their spouses believe they would qualify as socially disadvantaged, they should contact their local FSA office for details. FSA loans are only available to applicants who meet all the eligibility requirements and are unable to obtain the needed credit elsewhere.



LIMITED RESOURCE FARMER OR RANCHER

If your direct or indirect gross farm sales were less than \$100,000 for both of the last 2 years and your total household income is at or below the poverty level for a family of 4 in both of the previous 2 years, you may qualify as a limited resource producer. For more information see the USDA Tool at <http://www.lrftool.sc.egov.usda.gov/> or call the office for an appointment. The 2008 Farm Bill addresses the unique circumstances and concerns of limited resource farmers and ranchers. It offers incentives, and focuses on equity in accessing USDA programs and services. Enhancements include streamlined delivery of technical and financial assistance, and improved programs and services.

Dates to Remember	
Sept.6, 2010	Offices closed for the observance of Labor Day
Sept 23, 2010	Final date for asparagus producers to apply for TAA for Farmers
Continues	Farm Storage Facility Loans
Continues	Continuous Conservation Reserve Program

SPECIAL ACCOMMODATIONS

Persons with disabilities who require accommodations to attend or participate in any meeting or event should contact Andrew Calcaterra by phone at (810) 664-0895 .

Visit our Web site at:
www.fsa.usda.gov/mi



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To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.