



OCTOBER 2006 YAMHILL COUNTY AG NEWS

YAMHILL COUNTY FSA OFFICE
2200 SW 2ND STREET-MCMINNVILLE

TELEPHONE: 503-472-1474 EXTENSION 2

FACSIMILE: 503-472-2459

WEBSITE: <http://www.fsa.usda.gov/or/or.htm>



Zach Christensen, Chairman
Lester Sitton, COC Member
Dave Cruickshank, Vice-Chair
Cathy Morris, Minority Advisor

Darca Glasgow, CED - Ext 103 - darca.glasgow@or.usda.gov
Janice Knutz, PT - Ext 105 - janice.knutz@or.usda.gov
man Linda Miller, PT - Ext 106 - linda.miller@or.usda.gov
Lorie Atkinson, PT - Ext 100 - lorie.atkinson@or.usda.gov

Nancy Thompson, FLM - nancy.thompson@or.usda.gov
Suzanne Hayes, FLO - suzanne.hayes@or.usda.gov
Phone - Hillsboro FSA Office - 503-648-3174 Ext 2
(For Nancy & Suzanne)

WETLAND AND HIGHLY ERODIBLE COMPLIANCE

What you need to know and remember when participating in Farm Service Agency (FSA) and Natural Resources Conservation Service (NRCS) Programs !!

If you plan on cleaning a ditch, tiling a field or clearing trees and/or brush PLEASE call to check if the field or non-cropland area has a wetland and/or highly erodible determination on file. This step will save you a lot of stress by knowing up front if your proposed actions could possibly jeopardize your program eligibility with USDA.

Lately we have had too many compliance issues with Wetland Conversions and a few issues with HEL compliance. This is an overview of the rules, please read carefully!



WHAT IS CONVERTING A WETLAND ?

The 1985 Act provided that planting on a converted wetland was a violation that would cause ineligibility for USDA benefits

The 1990 Act amended the 1985 Act and states that a person who converts a wetland after November 28, 1990, shall be ineligible for USDA benefits.

Definition of Converted Wetland: Conversion or "convert" is draining, dredging, filling, leveling, or otherwise manipulating a wetland, including any activity that results in impairing or reducing the flow, circulation, or reach of water, for the purpose or to have the effect of making the production of an agricultural commodity without further application of the manipulations if:

- Such production would not have been possible without this action
- Before such action, this land was wetland or farmed wetland and was **not** HEL

WHAT IS HIGHLY ERODIBLE LAND COMPLIANCE ?

The 1985 Act, as amended, provides that, unless exempt, persons who produce an agriculture commodity on a field on which Highly Erodible Land (HEL) is predominate shall be ineligible for benefits under certain programs administered by USDA/FSA unless the producer has a conservation plan in place with NRCS and is actively following that plan.



DEFINITIONS OF TERMS

Agricultural Commodity: Is any crop planted and produced by annual tilling of the soil.

Highly Erodible Field: A field where HEL is predominant. 33.33 percent or more of the total field acreage is identified as soil map units which are highly erodible.

Conservation Plan: Applies to highly erodible cropland and describes the conservation system applicable to the highly erodible cropland, land use, tillage systems, and conservation treatment measures and schedules. Plan is approved by the local Soil and Water Conservation District (SWCD) and Natural Resources & Conservation Service NRCS.

If you are participating in NRCS's Conservation Security Program (CSP) there are additional requirements for residue on HEL ground.

If you participate in FSA's DCP you must protect any base acres participating from erosion.

2007 DIRECT AND COUNTER-CYCLICAL PROGRAM (DCP) SIGN-UP STARTS OCTOBER 1

Sign-up for the 2007 DCP program began October 1


The CCC-509 must be submitted by June 1, 2007, to be considered timely. All owners and operators who will share in the DCP payments on the farms must sign the CCC-509. Forms with signatures obtained after June 1, 2007, but before September 30, 2007, will be accepted, but the farms will be assessed a late-file fee of \$100. Farm producers must apply for DCP each year and can opt out of the program for any year.



To be eligible, producers must file: annual DCP contract (CCC-509); a farm-operating plan (CCC-502) and related forms, an average adjusted gross income certification (CCC-526), a certification of compliance with highly erodible land and wetland conservation provisions (AD-1026). A certification of the acreage of all cropland on the farm (FSA-578) is also needed before final payments can be issued.

IMPORTANT DATES

October 1 - 2007 DCP program sign up starts
After October 1, final 2006 DCP payments and 2006 CRP payment will be made

October 9 – Columbus Day Holiday – Office closed 

November 10 – Veterans Day – Office closed 

November 20 – NAP closing date for perennial fruit, nuts & honey

November 23 – Thanksgiving – Office closed 

FARM RECORD CHANGES FOR 2007

If you have bought, sold or are renting different land, make sure you report the changes to the staff at your local Farm Service Agency county office as soon as possible so farm records can be updated.



For farm ownership changes you will need to provide a recorded deed or recorded land contract. All landowners must furnish their tax ID numbers. Remember, failure to maintain accurate records with FSA on all land you have an interest in can lead to possible program ineligibility and fines if you are participating in farm programs.

NON-INSURED ASSISTANCE PROGRAM (NAP) 2007 APPLICATION CLOSING DATES

- ❖ August 31 - Onions, radish, carrots, canola, cabbage, (seed or fresh)
- ❖ August 31 - Fish, oysters, Christmas Trees, ornamental nursery, turf grass sod, cut flowers, mushrooms, & other value loss crops.
- ❖ August 31 - Any fall planted crops not mentioned
- ❖ October 1 - Grass, alfalfa, small grain forage (fall or spring planted) other forage crops, grazing & other perennials not mentioned.
- ❖ October 1 - Mint, grass seed, clover seed, and alfalfa seed.
- ❖ November 20 - Berries, fruit and honey
- ❖ March 3 - All spring crops not mentioned
- ❖ May 31 - Buckwheat



Producers with NAP coverage are required to:

- ❖ File a Notice of Loss within 15 days of when a loss is apparent;
- ❖ Timely file acreage reports by June 30;
- ❖ Provide production records from previous year by June 30;
- ❖ Keep tract of harvested production using acceptable methods.

REPORT LOSSES

Producers: If you have any failed crop acres, give serious thought to reporting them before plowing under the evidence. If Congress authorizes a crop disaster program in the future, proof of failed acreage may be required for your participation.

Ensuring that failed acres are documented could be the determining factor in whether you are eligible for future crop disaster program payments.

If you are experiencing low crop yields, you should keep good production records, but you don't need to report this acreage right now.

The CCC-576, Notice of Loss, is used to report failed acreage and may be completed by any producer with an interest in the crop. For losses on crops covered by the Non-insured Disaster Assistance Program (NAP), you must contact the FSA office within 15 days of the occurrence of the disaster or when losses become apparent. Producers with crop insurance should contact their local agent when losses occur and before destroying the crop.

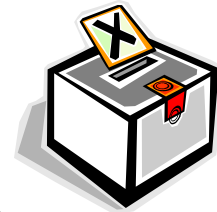


COUNTY COMMITTEE ELECTIONS

Elections are for LAA 2 area only (East of all of the following roads: Lafayette Hwy; Abbey Rd; Kuehne Rd and North Valley Rd. If you live in this area the mailing out of the ballots will begin on November 4. Voters have until December 5 to return their signed ballots to the county office.

Elected committee members and alternates take office on January 1, 2007.

Prospective Voter Requirements:



If you're on the mailing list for this newsletter, the chances are you are an eligible voter. Anyone who meets the requirements in 1 or 2, and 3, below is eligible to vote:

1. Be of legal voting age and participate or cooperate in any FSA program, or
2. Not of legal voting age, but supervises and conducts the farming operations on an entire farm.
3. Eligible to participate in any FSA program that is provided for by law, regardless of the status of funding.

YOUTH PROJECT LOANS

WHO: Youth ages 10 to 20 years old, who are citizens or permanent residents of the U.S. involved in 4-H, FFA or similar, who do not reside in a town of more than 10,000 population.

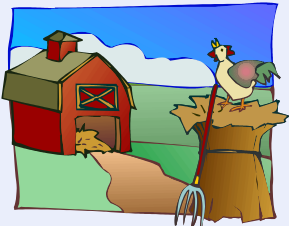
WHAT: Loans to establish and operate income-producing projects of modest size. Each project must be part of an organized and supervised program of work. The project must be planned and operated with the help of the organization adviser, produce sufficient income to repay the loan, and provide the youth practical business and education experience.

HOW MUCH: Maximum loan amount is \$5,000. Loan recipients may use the money to buy livestock, equipment, and supplies; buy, rent or repair needed tools and equipment; and pay operating expenses for running the project.

HOW TO APPLY: Complete FSA-2301 (Request for Youth Loan)

WHERE TO GET APPLICATION AND MORE INFORMATION:

Contact Suzanne Hayes, Farm Loan Officer, 1080 SW Baseline, Suite B-3 Hillsboro, OR 97123 or call for an appointment at 503-648-3174 Ext 116.



SIGNATURE AUTHORITY

The Farm Service Agency has always required signature authority to be on file for those signing in a fiduciary capacity. If you are any of the following entities you will have to have proper signing authority on file in the FSA office before signing any forms for FSA program purposes. Papers should show what person has authority to sign for the entity.

Corporation – provide copy of corporation by-laws & most recent annual minutes

Limited Liability Corporation – provide copy of LLC operating agreement

Partnership – provide partnership papers showing who has signing authority & that the member binds all other members

Trust's – provide a complete copy of trust papers or a certificate of trust

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LOANS FOR SOCIALLY DISADVANTAGED PERSONS

The Farm Service Agency (FSA) can make and guarantee loans to socially disadvantaged applicants to buy and operate family-sized farms and ranches. Funds specifically for these loans are reserved each year. Non-reserved funds can also be utilized. A socially disadvantaged farmer or rancher is one of a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of the group without regard to their individual qualities. For purposes of this program socially disadvantaged groups are women, African Americans, American Indians, and Alaskan Natives, Hispanics, and Asian Americans and Pacific Islanders. For more information contact Suzanne Hayes at the following number 503-648-3174 Ext 116.

When signing for an entity the person with signing authority should always sign **"by"** then your name and your position in the entity.

A husband or wife may sign FSA documents on behalf of the other unless written notification denying a spouse this authority has been filed.



PAYMENT LIMITATIONS

USDA payments and benefits are subject to producer eligibility and limitation provisions as defined by law. Documents and forms to determine eligibility and limitation once completed are reviewed on an annual basis.

It is the producer's responsibility to report changes in the farming operation that may affect payment eligibility and payment limitation. The following limitations apply to Direct and Counter-cyclical Program payments for each contract year. For all covered commodities:

\$40,000 for direct payments and \$65,000 for counter-cyclical payments.

The Environmental Quality Incentive Program (EQIP) has a \$450,000 payment limitation.

The Conservation Reserve Program (CRP) includes CREP the annual limit is \$50,000 per person

Entities such as corporations, limited partnerships, trusts and estates are required to provide names, addresses, and ID number of their members.

2007 EQIP FUNDING

November 30 is the deadline for EQIP application to be ranked for 2007 funding (this is earlier than last year). EQIP is a USDA program that help farmers plan and install conservation systems that have positive long-term effects on the environment. Producers who applied for 2006 funding and were not accepted can re-submit their applications for 2007 ranking. 2007 EQIP will be focusing on Water quality, water quantity and erosion. This year funds will be available to convert cropland or pasture to forestland. The NRCS office will have EQIP

packets available for producer to pick up at the Farms Service Agency Office.