



# NEWSLETTER



## BRAZOS/GRIMES/WALKER COUNTY FSA

**February 2012**

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### 2012 DCP/ACRE SIGN UP

2012 Direct and Counter-Cyclical Program (DCP) enrollment will begin Jan. 23, 2012 and will end June 1, 2012. Here are some IMPORTANT REMINDERS:

All producers planting on DCP base acres must be identified on the DCP/ACRE contract and receive a proportionate share of DCP/ACRE payment for the farm. Changes on the farm after enrolling June 1st in DCP/ACRE must be reported to your local FSA office such as:

- Ownership changes
- Producer changes (Individuals and Entities)
- Change in crop shares arrangements

Note: Changes cannot be made after Sept. 30, 2012.

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### SUPPLEMENTAL REVENUE ASSISTANCE PROGRAM

The sign-up for 2010 losses begins Nov. 14, 2011 and will end June 1, 2012. SURE provides benefits for farm revenue losses due to natural disasters that incurred in the crop year 2010.

SURE is available to eligible producers on farms in counties with Secretarial disaster declarations, including contiguous counties, that have incurred crop production or quality losses, or both, and includes all crops grown by a producer nationwide, except grazed crops.

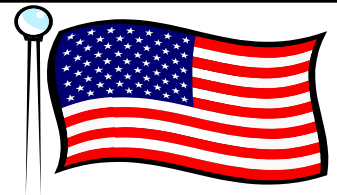
Any farm in which, for the crop year, the actual production on the farm because of disaster-related conditions is 50 percent or less than normal production of the farm.

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### PRESIDENTS' DAY

In observance of Presidents' Day our office will be closed  
Monday, February 20, 2012.

We will re-open on Tuesday, February 21, 2012.



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### DATES TO REMEMBER

March 15, 2012  
June 1, 2012  
June 1, 2012

NAP Closing Date for Spring Seeded Crops  
2010 SURE Sign-up Deadline  
DCP/ACRE Sign-up Deadline

## **FSA APODPTING GOVDELIVERY**

The USDA Farm Service Agency offices are moving toward a paperless operation.

Producers are asked to enroll in the new GovDelivery system which will provide notices, newsletters and electronic reminders instead of a hard copy through the mail. FSA is trying to work smarter and be more efficient. Moving to electronic notifications via email will help conserve resources and save taxpayer dollars.

Producers can now subscribe to receive free e-mail updates by going to <http://www.fsa.usda.gov/subscribe>.



## **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 when 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 by the legal entity and each of the members can't exceed \$40,000.

## **HISPANIC WOMEN AND FARMERS**

A process to resolve the claims of Hispanic and women farmers and ranchers who believe they were discriminated against when seeking USDA farm loans has been established. If you believe that the United States Department of Agriculture (USDA) improperly denied farm loan benefits to you between 1981 and 2000 because you are Hispanic, or because you are female, you may be eligible to apply for compensation. For additional information on this and other settlement issues contact:

Hispanic and Women Farmer Claims Process:  
[www.farmerclaims.gov](http://www.farmerclaims.gov) or call 1-888-508-4429

Pigford – The Black Farmers Discrimination Litigation:  
[www.blackfarmercase.com](http://www.blackfarmercase.com) or call 1-866-950-5547

Keepseagle - The Native American Farmers Class Action Settlement: [www.IndianFarmClass.com](http://www.IndianFarmClass.com) or call 1-888-233-5506

## **TIPS FOR FASTER SERVICE**

In order to receive information and payments quickly, it is important for producers to keep their information up-to-date. Below are a few tips that could save you time in the future.

- Provide your local FSA office with your current mailing addresses as it changes.
- Turn in all required forms and documentation in order to remain eligible for program benefits.
- Report deceased producers, who earn FSA payments directly or indirectly, in order to receive a proper and timely payment to the estate.

## **1099-G**

Producers who have received payments from FSA should have received a CCC-1099-G. A CCC-1099-G is a report to the Internal Revenue Service about FSA payments made to producers during the previous calendar year. The CCC-1099-G is a service to help participating producers report taxable income. It is not intended to replace the program participant's responsibility to report income to the IRS.

When the CCC-1099-G is received, it should be checked with your records. Refunds will no longer be reported on the 1099-G, but will be available online from the FSA Financial Inquiries (FSA-FI) web-based database. Program participants with an eAuthentication user ID and password may access their refund information at FSA-FI and select "Inquiry Type 1099/Refund Reports". Refund amounts are displayed on the Producer's Year-to-Date Activity page.

If you have a question concerning the 1099-G refund information, you may contact your local FSA office for assistance locating the correct payment data.

## **CHANGE TO TEXAS AG TAX EXEMPTION LAWS**

Beginning January 1, 2012, those who claim an exemption from sales tax on the purchase of certain items used in the production of agricultural and timber products are required to have a Texas Agriculture and Timber Exemption Registration Number (Ag/Timber Number).

To apply for an Ag/Timber Number online visit: <https://mycpa.cpa.state.tx.us/securitymp1portal/start.do>.

If you prefer to apply using a paper application, you can download and print the application from <https://mycpa.cpa.state.tx.us/securitymp1portal/start.do>, call the Comptroller's Fax on Demand service at 1-800-531-1441 to have the paper application faxed to you or call 1-800-252-5555 to request a copy by mail. Mail your completed application to the address provided on the form. Mailed applications may take 3-4 weeks to process & you will not receive your number instantly (as through the online app).

## **NAP INSURANCE**

The noninsured crop disaster assistance program (NAP) is a federally funded program that helps producers reduce their risk when growing food and fiber crops, specialty crops and crops for livestock feed. These benefits are only available for crops for which the catastrophic level of crop insurance is not available. Application for coverage must be filed by the applicable crop's application closing date.

Production records for all crops must be reported to FSA no later than the acreage reporting date for the crop for the following year. FSA requires that any production reported in a loss year be verifiable according to Agency specifications. NAP Losses must be reported within 15 days of loss.

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## **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:

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

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## **COMMODITY LOANS**

Commodity loans, also referred to as Marketing Assistance Loans, are available to producers who share in the risk of producing the crop. To be eligible, you must maintain beneficial interest in the crop through the time of application. Once beneficial interest in a commodity is lost, the commodity is ineligible for loan — even if you regain beneficial interest.

Violating provisions of a marketing assistance loan may trigger administrative actions, such as assessing liquidated damages, calling the loan & denial of future farm-stored loans. The most common violations are removing or dispos-

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## **RURAL YOUTH LOANS**

FSA makes loans to rural youths to establish and operate income-producing projects in connection with 4-H clubs, FFA and other agricultural groups. Projects must be planned and operated with the help of the organization advisor, produce sufficient income to repay the loan.



## **LOAN TYPES AVAILABLE**

Farm Ownership  
Farm Operating  
Rural Youth  
Beginning Farmers & Ranchers

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## **CHANGING BANKS**

Almost all Farm Service Agency payments are made electronically using Direct Deposit. 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.

## **HIGHLY ERODIBLE LAND (HEL) AND WETLAND CONSERVATION (WC) COMPLIANCE**

Landowners and operators are reminded that in order to receive payments from USDA, compliance with HEL and WC provisions are required. Farmers with HEL determined soils are reminded of tillage, crop residue, and rotation requirements as specified per their conservation plan. Producers are to notify the FSA Office prior to conducting land clearing or drainage projects to insure compliance.

## **FARMING OPERATION CHANGES**

If you have bought or sold land, or if you have added or dropped rented land from your operation, make sure you report the changes to the office. You need to provide a copy of your deed or recorded land contract for purchased property.

Failure to maintain accurate records with FSA on all land you have an interest in can lead to possible program ineligibility and penalties.

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## **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 the county FSA office staff directly or by phone.

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## **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 interested, please contact our office or any Farm Service Agency office near you for more information.

**Brazos/Grimes/Walker**

**Farm Service Agency**

3833 S. Texas Ave Ste 101  
Bryan, Texas 77802

Ph: (979) 846-4814  
Fax: (979) 691-8967

**Hours**

Monday to Friday  
8:00am - 4:30pm

**County Agency Staff**

Jessica Gonzalez, CED

Denise Ruesink,  
Program Technician  
Nathan Tonne, Intern

**County Committee**

Don Anthony Angonia  
John Baranowski  
Ann Christian  
Shirley Essman  
Terry Giese  
Anderson Jones  
Neal Pratt

**Farm Loan Staff**

Nathan Philipello, FLM  
Eric Mortimer, FLO

Program Technician  
Kelly Anderson

Ph: (979) 828-3338  
Fax: (979) 828-3108

**APPEAL PROCESS**

If FSA officials make a decision on your request for USDA services or application with which you disagree, you will receive a letter informing you of the decision and options you can pursue. Generally, program participants have three choices:

- 1) an informal review with the original agency decision-maker.
- 2) an opportunity for mediation.
- 3) an appeal to the next level of authority within the agency.

**FARM RECONSTITUTIONS**

When changes in farm 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.

The following are the different methods used when doing a farm recon. Remember, to be effective for the current year, recons must be requested by Aug. 1 for farms enrolled in the Direct and Counter-cyclical Program.

**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.

If DCP direct payments have already been issued on a particular farm, the reconstitution will be effective for the next year, unless the payments are refunded.

**NEW AGI FORM FOR 2012**

On September 28, 2011, FSA started using CCC-931 "Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information" for all 2009, 2010, 2011 and 2012 programs that are subject to AGI compliance. FSA will no longer accept CCC-926, CCC-927, or CCC-928 for any program. The new form is a combination of the Average Adjusted Gross Income (AGI) Certification and Consent to Disclosure of Tax Information forms previously used by FSA.

Form CCC-931 is available at your local FSA office or online at <http://intranet.fsa.usda.gov>. Producers can print and mail the form to their local FSA office. FSA employees will review the form for accuracy before forwarding it to the IRS. If CCC-931 is incomplete, the producer will be notified and corrections will be completed prior to FSA forwarding it to the IRS. Producers with FSA -211, "Power of Attorneys" will not be allowed to use the FSA-211 to complete the CCC-931.

Producers who failed to file these forms before Sept. 2011 will receive a notice from the National Office stating that the producer is ineligible for 2009 and/or 2010 payments.

Without these forms on file, eligible producers will not receive USDA program payments. For more information please contact your local FSA office.

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**FOREIGN BUYERS NOTIFICATION**

All individuals who are not U.S. citizens, and 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 (FSA-153) could result in civil penalties of up to 25 percent of the fair market value of the property.

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 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, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider, employer and lender.