U.S. DEPARTMENT OF AGRICULTURE

Virginia March Newsletter Articles and Updates - March 2022

Farm Service Agency | **Natural Resources Conservation Service** | **Risk Management Agency**

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FSA State Director Message

It's almost Springtime in Virginia!

As the days get warmer and longer, I know many of you will be in the field planting or doing other work in preparation for this busy season. Our farmers and ranchers are the backbone of Virginia; we are thankful for your hard work that produces food to feed us, fiber to clothe us, and fuel that powers our homes and vehicles.

USDA works with millions of rural producers through a network of local service centers that serve every county in the state of Virginia. Our farmers face challenges each day, and we are proud to offer a variety of programs to help them fund their operations, manage their farms, conserve natural resources, and recover from natural disasters.

Dates to Remember

March 25, 2022	**Dairy Margin Coverage Deadline for 2022**
March 31, 2022	**Marketing Assistance Loans and Loan Deficiency Payments Deadline**
April 15, 2022	**Spot Hog Pandemic Program**

Contact your local county FSA office today to see which programs can best serve your operation!.

NRCS State Conservationist's Message

Most of us can point to at least one strong woman who has made a major impact on our lives. Women's History Month is the perfect opportunity to recognize and thank these individuals for their many and varied contributions to their families, businesses and communities. While the annual celebration highlights accomplishments in all facets of our nation's culture and society, this year's theme of "women providing healing, promoting hope" is especially applicable to females in agriculture.

Women have been part of family farms from the earliest days of our country and now make up 36 percent* of the total population of U.S. producers. Over the past five years, we've seen a 45-percent jump in the number of female principal operators, and they now run more than a quarter of our state's farms. Women like Appomattox producer Ora Scruggs McCoy are the keepers of family legacies as they seek to preserve the land and its resources for the next generation. Female conservationists are also working alongside them to plan for the future. Lauren Cheatham, who works in the Rustburg office, is part of the team that provides services for Scruggs McCoy.

Female producers are also taking leadership positions on FSA county committees and USDA advisory committees to lend their voices to important conversations about the future of Virginia agriculture. Organizations like USDA's Women In Agriculture Mentoring Network, Future Farmers of America and the Women in Ag Learning Network not only support education and outreach but also help pave the way for others to join this dynamic, evolving industry.

No matter how you look at it, women farmers play an integral role in producing fuel, fiber and food for an ever-growing population and are an important part of our state's story. I'd like to take this opportunity to thank you for all you do to keep Virginia agriculture growing strong, for your leadership efforts and for your commitment to conservation.

Dr. Edwin Martinez Martinez, State Conservationist

*-- USDA's 2017 Census of Agriculture

Environmental Review Required Before Project Implementation

The National Environmental Policy Act (NEPA) requires Federal agencies to consider all potential environmental impacts for federally funded projects before the project is approved.

For all Farm Service Agency (FSA) programs, an environmental review must be completed before actions are approved, such as site preparation or ground disturbance. These programs include, **but are not limited to**, the Emergency Conservation Program (ECP), Farm Storage Facility Loan (FSFL) program and farm loans. If project implementation begins before FSA has completed an environmental review, the request will be denied. Although there are exceptions regarding the Stafford Act and emergencies, it's important to wait until you receive written approval of your project proposal before starting any actions.

Applications cannot be approved until FSA has copies of all permits and plans. Contact your local FSA office early in your planning process to determine what level of environmental review is required for your program application so that it can be completed timely.

Obtaining Payments due to Deceased Producers

In order to claim a Farm Service Agency (FSA) payment on behalf of a deceased producer, all program conditions for the payment must have been met before the applicable producer's date of death.

If a producer earned a FSA payment prior to his or her death, the following is the order of precedence for the representatives of the producer:

- administrator or executor of the estate
- the surviving spouse
- surviving sons and daughters, including adopted children
- surviving father and mother
- surviving brothers and sisters
- heirs of the deceased person who would be entitled to payment according to the State law

For FSA to release the payment, the legal representative of the deceased producer must file a form FSA-325 to claim the payment for themselves or an estate. The county office will verify that the application, contract, loan agreement, or other similar form requesting payment issuance, was signed by the applicable deadline by the deceased or a person legally authorized to act on their behalf at that time of application.

If the application, contract or loan agreement form was signed by someone other than the deceased participant, FSA will determine whether the person submitting the form has the legal authority to submit the form.

Payments will be issued to the respective representative's name using the deceased program participant's tax identification number. Payments made to representatives are subject to offset regulations for debts owed by the deceased.

FSA is not responsible for advising persons in obtaining legal advice on how to obtain program benefits that may be due to a participant who has died, disappeared or who has been declared incompetent.

Making 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.

To be effective for the current Fiscal Year (FY), farm combinations and farm divisions must be requested by **August 1 of the FY** for farms subject to the Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) program. A reconstitution is considered to be requested when all of the required signatures are on FSA-155 and all other applicable documentation, such as proof of ownership, is submitted.

Total Conservation Reserve Program (CRP) and non-ARC/PLC farms may be reconstituted at any time.

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.

For questions on your farm reconstitution visit www.fsa.usda.gov.

Know your Final Planting Dates

All producers are encouraged to contact their local FSA office for more information on the final planting date for specific crops. The final planting dates vary by crop, planting period and county so please contact your local FSA office for a list of county-specific planting deadlines. The timely planting of a crop, by the final planting date, may prevent loss of program benefits.

File a Notice of Loss for Failed and Prevented Planted Acres

USDA Farm Service Agency (FSA) reminds you to report prevented planted and failed acres in order to establish or retain FSA program eligibility for some programs.

You should report crop acreage you intended to plant, but due to natural disaster, were prevented from planting. Prevented planting acreage must be reported on form *CCC-576, Notice of Loss*, no later than 15 calendar days after the final planting date as established by FSA and Risk Management Agency (RMA).

If you're unable to report the prevented planting acreage within the 15 calendar days following the final planting date, a late-filed report can be submitted. Late-filed reports will only be accepted if FSA conducts a farm visit to assess the eligible disaster condition that prevented the crop from being planted. A measurement service fee will be charged.

Additionally, if you have failed acres, you should also use form *CCC-576, Notice of Loss*, to report failed acres.

For hand-harvested crops and certain perishables, you must notify FSA of damage or loss through the administrative County Office within 72 hours of the date of damage or loss first becomes apparent. This notification can be provided by filing a CCC-576, email, fax or phone. If you notify the County Office by any method other than by filing the CCC-576, you are still required to file a CCC-576, *Notice of Loss*, within the required 15 calendar days.

For losses on crops covered by the Non-Insured Crop Disaster Assistance Program (NAP), you must file a *Notice of Loss* within 15 days of the occurrence of the disaster or when losses become apparent. You must timely file a *Notice of Loss* for failed acres on all crops including grasses.

To file a *Notice of Loss*, contact your local County USDA Service Center or visit www.fsa.usda.gov.

Emergency Assistance for Livestock, Honeybee, and Farm-Raised Fish Program (ELAP)

ELAP provides emergency assistance to eligible livestock, honeybee, and farm-raised fish producers who have losses due to disease, adverse weather or other conditions, such as blizzards and wildfires, not covered by other agricultural disaster assistance programs.

Eligible losses include:

- **Livestock -** grazing losses not covered under the Livestock Forage Disaster Program (LFP), loss of purchased feed and/or mechanically harvested feed due to an eligible adverse weather event, additional cost of transporting water because of an eligible drought and additional cost associated with gathering livestock to treat for cattle tick fever.

- **Honeybee -** loss of purchased feed due to an eligible adverse weather event, cost of additional feed purchased above normal quantities due to an eligible adverse weather condition, colony losses in excess of normal mortality due to an eligible weather event or loss condition, including CCD, and hive losses due to eligible adverse weather.

- **Farm-Raised Fish -** death losses in excess of normal mortality and/or loss of purchased feed due to an eligible adverse weather event.

If you've suffered eligible livestock, honeybee, or farm-raised fish losses during calendar year 2022, you must file:

- A notice of loss within 30 calendar days after the loss is apparent (15 days for honeybee losses)
- An application for payment by Jan. 30, 2023

Keeping Livestock Inventory Records

Livestock inventory records are necessary in the event of a natural disaster, so remember to keep them updated.

When disasters strike, the USDA Farm Service Agency (FSA) can help you if you've suffered excessive livestock death losses and grazing or feed losses due to eligible natural disasters.

To participate in livestock disaster assistance programs, you'll be required to provide verifiable documentation of death losses resulting from an eligible adverse weather event and must submit a notice of loss to your local FSA office within 30 calendar days of when the loss of livestock is apparent. For grazing or feed losses, you must submit a notice of loss to your local FSA office within 30 calendar days of when the loss is apparent and should maintain documentation and receipts.

You should record all pertinent information regarding livestock inventory records including:

- Documentation of the number, kind, type, and weight range of livestock
- Beginning inventory supported by birth recordings or purchase receipts.

For more information on documentation requirements, contact your local County USDA Service Center or visit fsa.usda.gov.

Filing CCC-941 Adjusted Gross Income Certifications

If you have experienced delays in receiving Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) payments, Loan Deficiency Payments (LDPs) and Market Gains on Marketing Assistance Loans (MALs), it may be because you have not filed form CCC-941, *Adjusted Gross Income Certification*.

If you don't have a valid CCC-941 on file for the applicable crop year you will not receive payments. All farm operator/tenants/owners who have not filed a CCC-941 and have pending payments should IMMEDIATELY file the form with their recording county FSA office. Farm operators and tenants are encouraged to ensure that their landowners have filed the form.

FSA can accept the CCC-941 for 2018, 2019, 2020, 2021, and 2022. Unlike the past, you must have the CCC-941 certifying your AGI compliance before any payments can be issued.

Progression Lending from FSA

Farm Service Agency (FSA) farm loans are considered progression lending. Unlike loans from a commercial lender, FSA loans are intended to be temporary in nature. Our goal is to help you graduate to commercial credit, and our farm loan staff is available to help borrowers through training and credit counseling.

The FSA team will help borrowers identify their goals to ensure financial success. FSA staff will advise borrowers on developing strategies and a plan to meet your goals and graduate to commercial credit. FSA borrowers are responsible for the success of their farming operation, but FSA staff will help in an advisory role, providing the tools necessary to help you achieve your operational goals and manage your finances.

For more information on FSA farm loan programs, contact your County USDA Service Center or visit fsa.usda.gov.

Loans for Targeted Underserved Producers

The Farm Service Agency (FSA) has several loan programs to help you start or continue an agriculture production. Farm ownership and operating loans are available.

While all qualified producers are eligible to apply for these loan programs, FSA has provided priority funding for members of targeted underserved applicants.

A targeted underserved 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, targeted underserved groups are women, African Americans, American Indians, Alaskan Natives, Hispanics, Asian Americans and Pacific Islanders.

FSA loans are only available to applicants who meet all the eligibility requirements and are unable to obtain the needed credit elsewhere.

NRCS Offers New Stewardship Incentives for Virginia Graziers

Virginia livestock producers ready to raise their land management game are invited to investigate a Conservation Incentive Contract (CIC), a fairly new program from NRCS that may be a good fit for many in the state.

This 2018 Farm Bill offering is now available nationwide and funded under the Environmental Quality Incentives Program (EQIP). CIC offers expanded opportunities to adopt approaches that address priority resource concerns, including sequestering carbon and improving soil health in high-priority areas. In Virginia, the EQIP-CIC program will focus on the implementation of prescribed grazing (Practice No. 528) and supporting practices to address three priority resource concerns:

- Degraded plant condition
- Livestock production limitation
- Storage and handling of pollutants: nutrients transported to surface water.

CICs offer producers annual payments to implement management practices that build on existing conservation efforts. EQIP-CIC contracts will be five years in length with disbursements made on the Fiscal Year 2022 EQIP payment schedule.

Historically Underserved (HU) participants are eligible for a 50 percent advance payment in cases of immediate need where the final practice extent is known and will also receive a higher payment rate (15 percent higher than non-HU applicants) for all contracted prices. Non-HU participants can also qualify for a 15 percent higher rate by implementing source water protection and Virginia high priority practices.

NRCS accepts applications year-round but makes funding selections at specific times. Interested producers must submit applications by close of business on **April 1, 2022**, to be considered for FY2022 EQIP-CIC funding. Applicants for USDA-NRCS programs **must** have farm records established with USDA's Farm Service Agency (FSA). Call or visit your local USDA Service Center to get started. Visit www.va.nrcs.usda.gov/ to learn more about EQIP-CIC and other Farm Bill programs.

Selected Interest Rates for March 2022

90-Day Treasury Bill	0.125%
Farm Operating Loans — Direct	2.375%
Farm Ownership Loans — Direct	3.00%
Farm Ownership Loans — Direct Down Payment, Beginning Farmer or Rancher	1.50%
Emergency Loans	3.375%
Farm Storage Facility Loans (7 years)	1.875%

Commodity Loans 1996-Present	1.875%

Dates to Remember

3/25	DMC/SMDC Sign-up Deadline for 2022

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