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U.S. DEPARTMENT OF AGRICULTURE

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

Virginia October Newsletter Articles and Updates - October 2024

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State Executive Director Message

Virginia Farmers are ready to assist you with your Hurricane Helene Recovery Assistance

In the wake of Hurricane Helene, USDA staff is available to assist when you are ready. USDA is working diligently to implement program flexibilities and waivers, to help streamline your recovery process. We are regularly reviewing our programs so please check in periodically with your local USDA office for updates.

Documenting Loss

We encourage you to document damages and losses your operation has sustained as best you can, including gathering farm records, herd inventory, receipts and pictures of damages or losses. Livestock producers are advised to document livestock numbers by taking time and date-stamped video or pictures of injury or loss, to the extent possible. Please know that we recognize these are extremely extenuating and stressful circumstances and there may be instances where documentation is lost, destroyed or unattainable. Regardless, please contact us and we will do whatever we can to help you access the assistance you need.

Reporting Loss

Once you are able to safely evaluate the impact on your operation, be sure to contact your local USDA Farm Service Agency (FSA) county office or your crop insurance agent to report all crop, livestock and farm infrastructure damages and losses. For producers who have risk protection through Federal Crop Insurance, the USDA Risk Management Agency has authorized Approved Insurance Providers to provide flexibility on reporting requirements for those who are unable to report losses due the disaster.

Available Assistance

Producers in counties with a primary or contiguous disaster designation may be eligible for low interest emergency loans to help them recover from production and physical losses.

Additionally, FSA offers several loan servicing options available for borrowers who are unable to make scheduled payments on their farm loan programs debt to the agency because of reasons beyond their control.

Meanwhile, the <u>USDA Natural Resources Conservation Service</u> provides financial resources through its <u>Environmental Quality Incentives Program</u> to help with immediate needs and long-term support to help recover from natural disasters and conserve water resources. Assistance may also be available for emergency animal mortality disposal from natural disasters and other causes.

Online Resources and Tools

To learn more about programs available to producers here are some resources on farmers.gov, the <u>Disaster Assistance Discovery Tool</u>, <u>Disaster-at-a-Glance fact sheet</u>, and <u>Farm Loan Assistance Tool</u> can help you determine program or loan options. Additionally, <u>FarmRaise</u> offers an FSA educational hub with livestock disaster assistance decision tools as well as farm loan resource videos.

Contact USDA

When you're ready, we're ready. To file a Notice of Loss or to ask questions about available programs, contact your <u>local USDA Service Center</u>.

USDA has resources available through the FSA call center at 877-508-8364, the USDA hotline at 833-ONE-USDA (663-8732), or producers can access program information online at <u>farmers.gov</u>

Dr. Ronald M. Howell, Jr., State Executive Director

NRCS State Conservationist's Message

As Fiscal Year 2025 begins, I'm setting personal goals and priorities for the NRCS State Conservationist's office in lieu of making the standard resolutions and would like to share them with you today. My list of top priorities, which closely mirror our national goals, over the next 12 months will be:

- Treating team members as our most valued resource, ensuring they are equipped for their jobs and that their concerns are heard in addition to bringing new and diversified talent to Virginia.
- Keeping Virginia NRCS at the forefront of conservation planning, program delivery and implementation while providing outstanding customer service.
- Continuing development of a leadership structure at Virginia NRCS that includes leaders at all levels of our agency.
- Sustaining and enhancing collaborations with local, state and federal agencies in the commonwealth as well as in neighboring states.
- Ensuring team members receive core technical training while exploring innovative approaches to conservation planning.
- Expanding our partner network, which will allow us to increase awareness of agency programs and services among all target audiences (young, beginning, small, military veteran and historically undeserved farmers).

• Continuing our focuses on water quality, soil health, forestry and urban agriculture to further enhance the delivery of conservation solutions in our state.

Dr. Edwin Martinez Martinez, Virginia State Conservationist

RD State Director Message

This year's Atlantic hurricanes have certainly delivered on predictions for an above normal season as a "perfect storm" of near-record ocean temperatures and other atmospheric conditions combined to stir up trouble for several states on the East Coast.

While the U.S. Department of Agriculture (USDA) offers many programs to help producers document and report losses following Hurricane/Tropical Storm Helene, that's only part of the story. USDA Rural Development is committed to the health and welfare of the small communities you call home. Many of our more than 70 loan, grant, and technical assistance programs provide resources to repair private dwellings and get businesses and essential community facilities up and running again.

We also partner with the <u>U.S. Small Business Administration</u> (SBA) to deliver financial backing and technical assistance that can stimulate business creation and growth after disasters. Existing <u>business program</u> borrowers impacted by Helene could be eligible for various servicing options.

Enterprises operating in Grayson County may qualify for SBA Economic Injury Disaster Loans (EIDL) under a separate North Carolina disaster declaration. EIDL provides working capital loans to help small businesses, agricultural cooperatives, aquaculture operations, and most private, nonprofit organizations cover ordinary and necessary financial obligations that cannot be met due to the disaster.

SBA disaster loan applications may be submitted online at https://lending.sba.gov or at locally announced sites. Contact the SBA's Customer Service Center by email at disastercustomerservice@sba.gov or phone at 1-800-659-2955 for further assistance. Dial 7-1-1 to access telecommunications relay services.

We're here when you're ready to learn more about our programs and services. Reach out to your nearest <u>Virginia office</u> and download this <u>resource guide</u> to get more details on what's available through RD and other government agencies.

Perry Hickman - State Director

Highly Erodible Land (HEL) and Wetland Conservation Compliance

Landowners and operators are reminded that in order to receive payments from USDA, compliance with Highly Erodible Land (HEL) and Wetland Conservation (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 USDA Farm Service Agency prior to breaking sod, clearing land (tree removal), and of any drainage projects (tiling, ditching, etc.) to ensure compliance. Failure to update certification of compliance, with form AD-1026, triggering applicable HEL and/or wetland determinations, for any of these situations, can result in the loss of FSA farm program payments, FSA farm loans, NRCS program payments, and premium subsidy to Federal Crop Insurance administered by RMA.

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.

Update Your Records

FSA is cleaning up our producer record database and needs your help. Please report any changes of address, zip code, phone number, email address or an incorrect name or business name on file to our office. You should also report changes in your farm operation, like the addition of a farm by lease or purchase. You should also report any changes to your operation in which you reorganize to form a Trust, LLC or other legal entity.

FSA and NRCS program participants are required to promptly report changes in their farming operation to the County Committee in writing and to update their *Farm Operating Plan* on form CCC-902.

To update your records, contact your County USDA Service Center.

Applying for Farm Storage Facility Loans

The Farm Service Agency's (FSA) Farm Storage Facility Loan (FSFL) program provides low-interest financing to help you build or upgrade storage facilities and to purchase portable (new or used) structures, equipment and storage and handling trucks.

Eligible commodities include corn, grain sorghum, rice, soybeans, oats, peanuts, wheat, barley, minor oilseeds harvested as whole grain, pulse crops (lentils, chickpeas and dry peas), hay, honey, renewable biomass, fruits, nuts and vegetables for cold storage facilities, floriculture, hops, maple sap, rye, milk, cheese, butter, yogurt, meat and poultry (unprocessed), eggs, and aquaculture (excluding systems that maintain live animals through uptake and discharge of water). Qualified facilities include grain bins, hay barns and cold storage facilities for eligible commodities.

Loans up to \$50,000 can be secured by a promissory note/security agreement, loans between \$50,000 and \$100,000 may require additional security, and loans exceeding \$100,000 require additional security.

You do not need to demonstrate the lack of commercial credit availability to apply. The loans are designed to assist a diverse range of farming operations, including small and mid-sized businesses, new farmers, operations supplying local food and farmers markets, non-traditional farm products, and underserved producers.

For more information, contact your County USDA Service Center or visit fsa.usda.gov/pricesupport.

Annual Review of Payment Eligibility for New Crop Year

FSA and NRCS program applicants for benefits are required to submit a completed CCC-902 Farming Operation Plan and CCC-941 Average Gross Income (AGI) Certification and Consent to Disclosure of Tax Information for FSA to determine the applicant's payment eligibility and establish the maximum payment limitation applicable to the program applicant.

Participants are not required to annually submit new CCC-902s for payment eligibility and payment limitation purposes unless a change in the farming operation occurs that may affect the previous determination of record. A valid CCC-902 filed by the participant is considered to be a continuous certification used for all payment eligibility and payment limitation determinations applicable for the program benefits requested.

Participants are responsible for ensuring that all CCC-902 and CCC-941 and related forms on file in the county office are updated, current, and correct. Participants are required to timely notify the county office of any changes in the farming operation that may affect the previous determination of record by filing a new or updated CCC-902 as applicable.

Changes that may require a NEW determination include, but are not limited to, a change of:

- Shares of a contract, which may reflect:
- A land lease from cash rent to share rent
- A land lease from share rent to cash rent (subject to the cash rent tenant rule
- A modification of a variable/fixed bushel-rent arrangement
- The size of the producer's farming operation by the addition or reduction of cropland that may affect the application of a cropland factor
- The structure of the farming operation, including any change to a member's share
- The contribution of farm inputs of capital, land, equipment, active personal labor, and/or active personal management
- Farming interests not previously disclosed on CCC-902 including the farming interests of a spouse or minor child
- Certifications of average AGI are required to be filed annually for participation in an annual USDA program. For multi-year conservation contracts and NRCS easements, a certification of AGI must be filed prior to approval of the contract or easement and is applicable for the duration of the contract period.

Participants are encouraged to file or review these forms within the deadlines established for each applicable program for which program benefits are being requested.

Payment Limitation

Program payments may be limited by direct attribution to individuals or entities. A legal entity is defined as an entity created under Federal or State law that owns land or an agricultural commodity, product or livestock.

Through direct attribution, payment limitation is based on the total payments received by a person or legal entity, both directly and indirectly. Qualifying spouses are eligible for a separate payment limitation.

Payments and benefits under certain FSA programs are subject to some or all of the following:

- payment limitation by direct attribution (including common attribution)
- payment limitation amounts for the applicable programs
- substantive change requirements when a farming operation adds persons, resulting in an increase in persons to which payment limitation applies
- actively engaged in farming requirements
- cash-rent tenant rule
- foreign person rule
- average AGI limitations
- programs subject to AGI limitation

No program benefits subject to payment eligibility and limitation will be provided until all required forms for the specific situation are provided and necessary payment eligibility and payment limitation determinations are made.

Payment eligibility and payment limitation determinations may be initiated by the County Committee or requested by the producer.

Statutory and Regulatory rules require persons and legal entities, provide the names and Tax Identification Numbers (TINs) for all persons and legal entities with an ownership interest in the farming operation to be eligible for payment.

Payment eligibility and payment limitation forms submitted by persons and legal entities are subject to spot check through FSA's end-of-year review process.

Persons or legal entities selected for end-of-year review must provide the County Committee with operating loan documents, income and expense ledgers, canceled checks for all expenditures, lease and purchase agreements, sales contracts, property tax statements, equipment listings, lease agreements, purchase contracts, documentation of who provided actual labor and management, employee time sheets or books, crop sales documents, warehouse ledgers, gin ledgers, corporate or entity papers, etc.

A finding that a person or legal entity is not actively engaged in farming results in the person or legal entity being ineligible for any payment or benefit subject to the actively engaged in farming rules.

Noncompliance with AGI provisions, either by exceeding the applicable limitation or failure to submit a certification and consent for disclosure statement, will result in payment ineligibility for all program benefits subject to AGI provisions. Program payments are

reduced in an amount that is commensurate with the direct and indirect interest held by an ineligible person or legal entity in any legal entity, general partnership, or joint operation that receives benefits subject to the average AGI limitations.

If any changes occur that could affect an actively engaged in farming, cash-rent tenant, foreign person, or average Adjusted Gross Income (AGI) determination, producers must timely notify the County FSA Office by filing revised farm operating plans and/or supporting documentation, as applicable. Failure to timely notify the County Office may adversely affect payment eligibility.

USDA and FarmRaise Launch Additional Online Disaster Assistance Decision Tool for Livestock, Honey Bee and Farm-Raised Fish Producers

The U.S. Department of Agriculture, in partnership with FarmRaise, today launched a new, online Emergency Assistance for Livestock, Honey Bees and Farm-raised Fish Program (ELAP) Decision Tool. The USDA's Farm Service Agency (FSA) tool is designed to assist agricultural producers who have been impacted by natural disasters access available program support. This ELAP Decision Tool, a component of a broader disaster assistance program educational module, further expands the library of online FSA disaster and farm loan program reference resources and decision aids currently available to agricultural producers on the FarmRaise FSA educational hub. The Decision Tool is a resource only and is not an application for benefits or a determination of eligibility.

ELAP is designed to address losses not covered by other FSA disaster assistance programs. The program provides recovery assistance to eligible producers of livestock, honey bee, and farm-raised fish losses due to an eligible adverse weather or loss condition, including drought, blizzards, disease, water shortages and wildfires. ELAP covers grazing and feed losses, transportation of water and feed to livestock and hauling livestock to grazing acres due to an eligible loss condition. ELAP also covers certain mortality losses, due to an eligible condition, for livestock including honey bees and farm-raised fish as well as honey bee hive losses.

New FarmRaise Tools and Resources

<u>FarmRaise</u>, in partnership with FSA, recently launched their online, <u>educational hub</u> – the FarmRaise | FSA Educational Hub – comprised of videos, tools and interactive resources that enable USDA cooperators and agricultural producers to learn about and access major FSA programs.

A new addition to the hub, the ELAP Decision Tool helps eligible producers impacted by qualifying natural disasters and other eligible causes of loss better understand program eligibility and application requirements, learn about record-keeping and supporting loss documentation requirements and track the steps needed before applying for program

benefits. The document generated by the ELAP Decision Tool can be used to support the ELAP application process, but it is not a program application. Producers will need to complete and submit the ELAP Application to their local FSA county office. Upon request, applicants may be asked to provide additional supporting documentation per the program requirements.

Through use of the ELAP Decision Tool, producers can segment by loss type (honey bee, farm-raised fish and livestock). This enables easier navigation, as guided by the tool, to assistance available to meet specific disaster recovery needs. After entering the type of loss, identifying the loss condition and entering their inventory and loss information, producers are guided through a worksheet that helps identify required loss documentation — documentation (i.e., pictures, receipts, truck logs, etc.) that can be uploaded through the ELAP tool and sent directly to the producer's local FSA county office, or producers can provide a copy of the tool-generated worksheet summary document when they visit their local FSA county office to complete and submit the required ELAP application.

Additional FarmRaise Resources

The previously announced Livestock Indemnity Program (LIP) Decision Tool, also available through the FarmRaise | FSA Educational Hub, assists livestock producers who suffered losses from eligible adverse weather events and other causes of loss as well as cooperators who are helping disaster-impacted livestock producers navigate available federal disaster assistance programs. The LIP Decision Tool gives producers guidance on what is needed to gather and submit required loss documentation, reducing the amount of time needed to complete applications and enabling FSA county office staff to deliver much-needed assistance faster. Using the LIP Decision Tool is not an application for benefits or a determination of eligibility.

In addition to the new ELAP Decision Tool and the LIP Decision Tool, the FarmRaise | FSA Educational Hub offers several, easily navigated farm loan programs how-to videos designed to introduce producers to FSA's many farm loan programs options and guide them through the application process.

More FSA program resources and tools will continue to be added to the FarmRaise | FSA Educational Hub. Cooperators and agricultural producers are encouraged to visit the FarmRaise | FSA Educational Hub often to access all available educational resources.

Transitioning Expiring CRP Land to Beginning, Veteran or Underserved Farmers and Ranchers

Conservation Reserve Program (CRP) contract holders are encouraged to transition their CRP acres to beginning, veteran or socially disadvantaged farmers or ranchers through the

Transition Incentives Program (TIP). TIP provides annual rental payments to the landowner or operator for up to two additional years after the CRP contract expires.

CRP contract holders no longer need to be a retired or retiring owner or operator to transition their land. TIP participants must agree to sell, have a contract to sell, or agree to lease long term (at least five years) land enrolled in an expiring CRP contract to a beginning, veteran, or socially disadvantaged farmer or rancher who is not a family member.

Beginning, veteran or social disadvantaged farmers and ranchers and CRP participants may enroll in TIP beginning two years before the expiration date of the CRP contract. The TIP application must be submitted prior to completing the lease or sale of the affected lands. New landowners or renters that return the land to production must use sustainable grazing or farming methods.

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

USDA Launches Online Debt Consolidation Tool to Increase Farmer And Rancher Financial Viability

The U.S. Department of Agriculture (USDA) is announcing the launch of the Debt Consolidation Tool, an innovative online tool available through <u>farmers.gov</u> that allows agricultural producers to enter their farm operating debt and evaluate the potential savings that might be provided by obtaining a debt consolidation loan with USDA's Farm Service Agency (FSA) or a local lender.

A debt consolidation loan is a new loan used to pay off other existing operating loans or lines of credit that might have unreasonable rates and terms. By combining multiple eligible debts into a single, larger loan, borrowers may obtain more favorable payment terms such as a lower interest rate or lower payments. Consolidating debt may also provide farmers and ranchers additional cash flow flexibilities.

The Debt Consolidation Tool is a significant addition to FSA's suite of improvements designed to modernize its Farm Loan Programs. The tool enhances customer service and increases opportunities for farmers and ranchers to achieve financial viability by helping them identify potential savings that could be reinvested in their farming and ranching operation, retirement accounts, or college savings accounts.

Producers can access the Debt Consolidation Tool by visiting <u>farmers.gov/debt-consolidation-tool</u>. The tool is built to run on modern browsers including Chrome, Edge, Firefox, or the Safari browser. Producers do not need to create a farmers.gov account or access the authenticated customer portal to use the tool.

Additional Farm Loan Programs Improvements

FSA recently announced significant changes to Farm Loan Programs through the <u>Enhancing Program Access and Delivery for Farm Loans rule</u>. These policy changes, to take effect September 25, 2024, are designed to better assist borrowers to make strategic investments in the enhancement or expansion of their agricultural operations.

FSA also has a significant initiative underway to streamline and automate the Farm Loan Program customer-facing business process. For the over 26,000 producers who submit a direct loan application annually, FSA has made several impactful improvements including:

- The <u>Loan Assistance Tool</u> that provides customers with an interactive online, stepby-step guide to identifying the direct loan products that may be a fit for their business needs and to understanding the application process.
- The Online Loan Application, an interactive, guided application that is paperless and provides helpful features including an electronic signature option, the ability to attach supporting documents such as tax returns, complete a balance sheet, and build a farm operating plan.
- An <u>online direct loan repayment feature</u> that relieves borrowers from the necessity
 of calling, mailing, or visiting a local USDA Service Center to pay a loan
 installment.
- A simplified direct loan paper application, reduced from 29 pages to 13 pages.
- A new <u>educational hub</u> with farm loan resources and videos.

USDA encourages producers to reach out to their local FSA farm loan staff to ensure they fully understand the wide range of loan and servicing options available to assist with starting, expanding, or maintaining their agricultural operation. To conduct business with FSA, please contact your local <u>USDA Service Center</u>.

USDA Now Accepting Farm Loan Payments Online

The U.S. Department of Agriculture (USDA) announced today that most farm loan borrowers will soon be able to make payments to their direct loans online through the Pay My Loan feature on farmers.gov in early February. Pay My Loan is part of a broader effort by USDA's Farm Service Agency (FSA) to streamline its processes, especially for producers who may have limited time during the planting or harvest seasons to visit a local FSA office; modernize and improve customer service; provide additional customer self-service tools; and expand credit access to assist more producers.

On average, local USDA Service Centers process more than 225,000 farm loan payments each year. Pay My Loan gives most borrowers an online repayment option and relieves

them from needing to call, mail, or visit a Service Center to pay their loan installment. Farm loan payments can now be made at the borrower's convenience, on their schedule and outside of FSA office hours.

Pay My Loan also provides time savings for FSA's farm loan employees by minimizing manual payment processing activities. This new service for producers means that farm loan employees will have more time to focus on reviewing and processing new loans or servicing requests.

The Pay My Loan feature can be accessed at farmers.gov/loans. To use the payment feature, producers must establish a USDA customer account and a <u>USDA Level 2</u> <u>eAuthentication ("eAuth") account or a Login.gov account</u>. This initial release only allows individuals with loans to make online payments. For now, borrowers with jointly payable checks will need to continue to make loan payments through their local office.

FSA has a significant initiative underway to streamline and automate the Farm Loan Program customer-facing business process. For the over 26,000 producers who submit a direct loan application annually, FSA has made various improvements including:

- The Online Loan Application, an interactive, guided application that is paperless and provides helpful features including an electronic signature option, the ability to attach supporting documents such as tax returns, complete a balance sheet, and build a farm operating plan.
- The <u>Loan Assistance Tool</u> that provides customers with an interactive online, stepby-step guide to identifying the direct loan products that may be a fit for their business needs and to understanding the application process.
- A <u>simplified direct loan paper application</u>, which reduced loan applications by more than half, from 29 pages to 13 pages.

USDA, NRCS Offering Record Amounts of Aid

The U.S. Department of Agriculture (USDA) has announced up to \$7.7 billion in assistance for fiscal year 2025 to help agricultural and forestry producers adopt conservation practices on working lands. This total includes up to \$5.7 billion for climate-smart practices, made possible by the Inflation Reduction Act of 2022, and \$2 billion in Farm Bill funding. This is more than double the amount available last year and the most conservation assistance made available in a single year in U.S. history for popular USDA conservation programs.

USDA's Natural Resources Conservation Service (NRCS) received more than 156,485 applications for its conservation programs in Fiscal Year 2024. While NRCS accepts

applications year-round, interested agricultural producers can now apply for FY2025 funding through NRCS at their local USDA Service Center.

The Inflation Reduction Act, the largest climate and conservation investment in history, invests an additional \$19.5 billion in NRCS' oversubscribed conservation programs over a five-year period, which began in FY2023. This year, NRCS applicants can apply for \$2.8 billion through the Environmental Quality Incentives Program (EQIP), \$943 million through the Conservation Stewardship Program (CSP), \$472 million through the Agricultural Conservation Easement Program (ACEP) and up to \$1.4 billion in the Regional Conservation Partnership Program (RCPP). This is in addition to the \$2 billion available for these programs through the Farm Bill, including \$860 million for EQIP, \$600 million for CSP, \$450 million for ACEP and \$250 million for RCPP.

NRCS recently released an updated list of <u>Climate-Smart Agriculture and Forestry Mitigation Activities</u> eligible for Inflation Reduction Act funding in FY2025, which includes 14 new activities. NRCS also released the <u>NRCS Conservation Practices and Greenhouse Gas Mitigation Information dashboard</u> sharing the expected mitigation benefits and science-based estimation approach for listed practices.

Selected Interest Rates for October 2024

90-Day Treasury Bill	5.375%
Farm Operating Loans — Direct	4.875%
Farm Ownership Loans — Direct	5.375%
Farm Ownership Loans — Direct Down Payment, Beginning Farmer or Rancher	1.500%
Emergency Loans	3.750
Farm Storage Facility Loans - (7 years)	3.625%
Commodity Loans 1996-Present	5.125%

Virginia FSA State Office

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Office Hours 7:30 a.m. - 4:30 p.m.

https://www.fsa.usda.gov/state-offices/Virginia/index

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