USDA Farm Service Agency
U.S. DEPARTMENT OF AGRICULTURE

Minnesota FSA Updates - August 16, 2022

In this Issue:

State Executive Director Comments

August is a busy month for agriculture in Minnesota! I know many of you have been busy working at community events and participating in your local county fairs throughout the summer. I have had the opportunity to get out to several agricultural events to talk about the programs that the Farm Service Agency has to offer.

Earlier this month I attended Minnesota Farmfest, which was a fantastic opportunity to hear from farmers and some of the agricultural organizations in our state. The USDA agencies based in Minnesota were represented on a panel to discuss navigating federal programs. I also attended a fabulous event in Martin County called From the Ground Up, which is a community-led effort to showcase agricultural innovation and achievements locally.

National Farmers Market Week was August 7-13. I was honored to participate in an event hosted by the Minneapolis Farmers Market this week that highlighted the importance of our local farmers and the markets that provide access to fresh products. With over 180 farmers markets across Minnesota, make sure you try to support your local farmers and local farmers markets when you can!

USDA Farm Service Agency has processed over 255,000 Emergency Relief Program (ERP) applications for Phase 1 of the program. This program has provided relief payments to commodity, specialty crop, and livestock producers to offset eligible losses from 2020 and 2021 natural disasters. Phase 1 of this novel program has broken down agency barriers by using data across USDA agencies to pre-fill applications. If you experienced an eligible loss, but were not tied in with existing programs, you may be eligible through Phase 2 of both the crop and livestock Emergency Relief Program. Watch for Phase 2 information and materials as provisions are available.

The Farm Service Agency recently announced updated payment rates for the Livestock Indemnity Program (LIP) to better reflect the true market value for non-adult beef, beefalo, bison, and dairy animals (less than 250 pounds). The Livestock Indemnity Program provides benefits to livestock producers for deaths exceeding normal mortality rates due to eligible adverse weather events. These higher rates will be applied retroactively beginning January 1, 2022, so if you are a participating livestock producer, reach out to your local service center to learn more.

Respectfully,

Whitney Place, State Executive Director

2022 DMC Premiums due Sept. 1, 2022

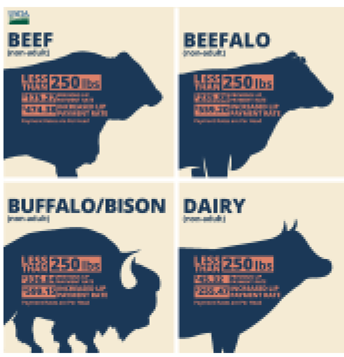
Dairy producers have until Sept. 1, 2022, to pay premiums for the Dairy Margin Coverage (DMC) Program. With monthly DMC program triggers well above the $9.50 per hundredweight (cwt) coverage level, there have been no indemnity payments distributed through the USDA's Farm Service Agency (FSA) through June 2022. In prior years, producers were able to deduct annual DMC premiums from indemnity payments, but that's not the case this year.

Approximately 75% of calendar year 2022 DMC and Supplemental DMC premiums have not been paid as the payment deadline of Sept. 1 approaches.

Failure to pay the DMC premium by the deadline may affect a dairy operation's ability to participate in the DMC program in future years. Contact your local FSA office for more information.

For more information visit the [FSA dairy programs webpage]() or the [online dairy decision tool]().

FSA is Adjusting to Fit the Situation Facing Livestock Producers



A message from FSA Administrator Zach Ducheneaux

As a former rancher myself, I know the tremendous investments—in time, sweat, and thought—that producers make even before their calves hit the ground. My experiences lead me to firmly believe that, here at the Farm Service Agency (FSA), we must find flexibilities where possible to help our farmers and ranchers best meet the challenges of the day.

In recent meetings with Senator John Hoeven, FSA North Dakota State Executive Director Marcy Svenningsen, and livestock producers in North Dakota impacted by catastrophic 2021 winter storms, it became apparent that our Livestock Indemnity Program (LIP) payment rates were not reflective of the true market value for non-adult beef, beefalo, bison, and dairy animals. It was time for us to pivot.

LIP provides benefits to livestock owners and some contract growers for livestock deaths exceeding normal mortality from eligible adverse weather events, certain predation losses and reduced sales prices due to injury from an eligible loss.

Indemnity payments are made at a rate of 75 percent of the market value of the livestock on the day before the date of death. I don't mind saying that, under our previous payment rates, cutting a LIP check to a rancher for $150 for a calf in today's market came nowhere near covering the year-long investment in carrying the cow through pregnancy and carrying the calf from birth to sale.

To better capture ranchers' investments in their animals, we recently announced increased LIP payment rates for beef, beefalo, bison, and dairy animals less than 250 pounds. These now-updated payment rates are reflective of the substantial increased cost of these non-adult livestock in 2022.

The updated LIP payment rates are effective immediately and will be applied retroactively starting January 1, 2022, for all eligible causes of loss including excessive heat, tornado, winter storms, and other qualifying natural disasters. Producers who have already received LIP payments for 2022 will receive an additional payment, if applicable, commensurate with these updated rates. For details on eligibility and payment rates, you can review our LIP fact sheet.

Other Program Improvements

These LIP policy changes complement enhancements we recently made to our Emergency Assistance for Livestock, Honey Bees and Farm-Raised Fish Program (ELAP) – changes that also were derived from the direct input and feedback of producers and the livestock groups.

In addition to paying above normal costs for hauling water to drought-stricken livestock, we also added compensation for hauling feed to livestock and livestock to forage or other grazing acres. And, in 2021, we added fish raised for food as an ELAP-eligible commodity because producers and industry leaders expressed the need.

By continually evaluating how we can deliver our programs in a manner that is meaningful to the farmers and ranchers we serve, we demonstrate our ongoing commitment to stakeholder engagement and our dedication to improving programs for livestock producers first signaled by Agriculture Secretary Tom Vilsack during a Senate Agriculture Committee hearing earlier this year.

It has been said actions speak louder than words, but when it comes to FSA programs that directly affect producers' livelihoods and way of life and ultimately impact food security for all Americans, I believe the two are not mutually exclusive. Rest assured that when producers and producer groups speak, FSA and I, to the extent possible, will do whatever is within our power to turn those words into actions.

Streamlined Delivery of Emergency Relief Programs Is Win-Win for USDA and Agricultural Producers

The U.S. Department of Agriculture (USDA) has processed more than 255,000 applications for the new Emergency Relief Program (ERP). USDA has made approximately $6.1 billion, to date, in payments to commodity and specialty crop producers to help offset eligible losses from qualifying 2020 and 2021 natural disasters. By breaking-down agency barriers, using existing data across USDA and pre-filled applications, USDA's Farm Service Agency (FSA) in cooperation with the Risk Management Agency (RMA) has been able to expediently provide economic relief and save producers and staff over a million hours of time.

The design of ERP Phase One allowed for an expedited process that saved time for staff and producers. FSA was able to begin disbursing payments to producers within days of rolling out the program when under the predecessor program lengthy applications and processing were required before making payments. FSA county offices can process almost nine ERP applications in the time it took to process one application for the Wildfire and Hurricane Indemnity Program — Plus (WHIP+), the predecessor program for ad hoc disaster assistance. This equates to 88% less time to process applications and a reduction of more than one million staff hours for implementation of ERP compared with

WHIP+. While not specifically tracked, we expect the savings for producers to be at least as significant as they previously would have had a significant burden to collect records and often sit across from the local staff as the data is entered.

These process improvements also enhanced the customer experience for farmers by reducing the number of producer trips to FSA county offices and allowing producers to spend less time completing forms so they could focus more on their agricultural operations. In addition, the ERP program design greatly diminished the risk potential for errors and leveraged the existing RMA and Federal Crop Insurance loss adjustment and verification processes. With more applications approved, more dollars distributed, and more dollars paid per application in a shorter timeframe, the streamlined application process developed to deliver ERP has significantly outperformed the previous implementation of WHIP+. FSA also has paid more than $1 billion to historically underserved producers.

Emergency Relief Payments to Date

The efforts to streamline, improve responsiveness and work across traditional agency-borders goes beyond just the recent ERP process. FSA mailed pre-filled ERP applications to producers of commodities covered by federal crop insurance in late May and has since paid producers with eligible losses more than $6 billion. Pre-filled ERP applications were mailed to producers with Noninsured Crop Disaster Assistance Program (NAP) coverage last week, and so far, FSA has already issued $35.9 million in payments to producers with eligible losses. NAP-related ERP payments also were not factored and are being made, in full, from the start to speed and target assistance to the small and underserved producers that commonly rely on NAP coverage. Also, earlier this year, staff processed more than 100,000 payments through the Emergency Livestock Relief Program (ELRP) and paid eligible producers more than $601.3 million for 2021 grazing losses within days of the program announcement.

ERP Data Now Available Online

A new public-facing dashboard on the ERP webpage has information on ERP payments that can be sorted by crop type – specialty or non-specialty, specific commodities and state. FSA will update the dashboard on Monday each week.

More Information

ERP and the previously announced ELRP are funded by the *Extending Government Funding and Delivering Emergency Assistance Act*, which President Biden signed into law in 2021. The law provided $10 billion to help agricultural producers impacted by wildfires, droughts, hurricanes, winter storms and other eligible disaster events experienced during calendar years 2020 and 2021.

For more information on ERP and ELRP eligibility, program provisions for historically underserved producers as well as Frequently Asked Questions, producers can visit FSA's Emergency Relief webpage.

Additional USDA disaster assistance information can be found on farmers.gov, including the Disaster Assistance Discovery Tool, Disaster-at-a-Glance fact sheet and Farm Loan

Discovery Tool. For FSA and Natural Resources Conservation Service programs, producers should contact their local USDA Service Center. For assistance with a crop insurance claim, producers and landowners should contact their crop insurance agent.

USDA Invests $14.5 Million in Taxpayer Education, Program Outreach Efforts for Farmers and Ranchers

FSA is investing in two outreach and education efforts for farmers and ranchers, including those who are new to agriculture or who have been historically underserved by programs.

First, FSA is announcing $10 million in the new Taxpayer Education and Asset Protection Initiative. Through this initiative, FSA has partnered with the University of Arkansas and the National Farm Income Tax Extension Committee to deliver tax education resources for farmers and ranchers, which includes engagement with agricultural educators, and tax professionals through partnerships with community groups and minority serving institutions across the country.

Second, FSA is investing $4.5 million in outreach for the Conservation Reserve Program Transition Incentives Program (CRP TIP), which increases access to land for new farmers and ranchers. FSA will award cooperative agreements to 15 to 20 partner and stakeholder organizations to conduct outreach and technical assistance and promote awareness and understanding among agricultural communities, particularly those who are military veterans, new to farming, or historically underserved.

USDA Announces Streamlined Guaranteed Loans and Additional Lender Category for Small-Scale Operators

Options Help More Beginning, Small and Urban Producers Gain Access to Credit

Producers can apply for a streamlined version of USDA guaranteed loans, which are tailored for smaller scale farms and urban producers EZ Guarantee Loans use a simplified application process to help beginning, small, underserved, and family farmers and ranchers apply for loans of up to $100,000 from USDA-approved lenders to purchase farmland or finance agricultural operations.

A new category of lenders will join traditional lenders, such as banks and credit unions, in offering USDA EZ Guarantee Loans. Microlenders, which include Community Development Financial Institutions and Rural Rehabilitation Corporations, will be able to offer their customers up to $50,000 of EZ Guaranteed Loans, helping to reach urban areas and underserved producers. Banks, credit unions and other traditional USDA-approved lenders, can offer customers up to $100,000 to help with agricultural operation costs.

EZ Guarantee Loans offer low interest rates and terms up to seven years for financing operating expenses and 40 years for financing the purchase of farm real estate. USDA-approved lenders can issue these loans with the Farm Service Agency (FSA) guaranteeing the loan up to 95 percent.

For more information about the available types of FSA farm loans, contact your local County USDA Service Center or visit fsa.usda.gov/farmloans.

USDA to Allow Producers to Request Voluntary Termination of Conservation Reserve Program Contract

The U.S. Department of Agriculture (USDA) will allow Conservation Reserve Program (CRP) participants who are in the final year of their CRP contract to request voluntary termination of their CRP contract following the end of the primary nesting season for fiscal year 2022. Participants approved for this one-time, voluntary termination will not have to repay rental payments, a flexibility implemented this year to help mitigate the global food supply challenges caused by the Russian invasion of Ukraine and other factors. Today, USDA also announced additional flexibilities for the Environmental Quality Incentives Program (EQIP) and Conservation Stewardship Program (CSP).

FSA is mailing letters to producers with expiring acres that detail this flexibility and share other options, such as re-enrolling sensitive acres in the CRP Continuous signup and considering growing organic crops. Producers will be asked to make the request for voluntary termination in writing through their local USDA Service Center.

If approved for voluntary termination, preparations can occur after the conclusion of the primary nesting season. Producers will then be able to hay, graze, begin land preparation activities and plant a fall-seeded crop before October 1, 2022. For land in colder climates, this flexibility may allow for better establishment of a winter wheat crop or better prepare the land for spring planting.

Organic Considerations

Since CRP land typically does not have a recent history of pesticide or herbicide application, USDA is encouraging producers to consider organic production. USDA's Natural Resources Conservation Service (NRCS) provides technical and financial assistance to help producers plan and implement conservation practices, including those that work well for organic operations, such as pest management and mulching. Meanwhile, FSA offers cost-share for certification costs and other fees.

Other CRP Options

Participants can also choose to enroll all or part of their expiring acres into the Continuous CRP signup for 2022. Important conservation benefits may still be achieved by re-enrolling sensitive acres such as buffers or wetlands. Expiring water quality practices such as filter strips, grass waterways, and riparian buffers may be eligible to be reenrolled under the Clean Lakes, Estuaries, and Rivers (CLEAR) and CLEAR 30 options under CRP. Additionally, expiring continuous CRP practices such as shelterbelts, field windbreaks, and other buffer practices may also be re-enrolled to provide benefits for organic farming operations.

If producers are not planning to farm the land from their expiring CRP contract, the Transition Incentives Program (TIP) may also provide them two additional annual rental payments after their contract expires on the condition that they sell or rent their land to a beginning or veteran farmer or rancher or a member of a socially disadvantaged group.

Producers interested in the Continuous CRP signup, CLEAR 30, or TIP should contact FSA by Aug. 5, 2022.

NRCS Conservation Programs

USDA also encourages producers to consider NRCS conservation programs, which help producers integrate conservation on croplands, grazing lands and other agricultural landscapes. EQIP and CSP can help producers plant cover crops, manage nutrients and improve irrigation and grazing systems. Additionally, the Agricultural Conservation Easement Program (ACEP), or state or private easement programs, may be such an option. In many cases, a combination of approaches can be taken on the same parcel. For example, riparian areas or other sensitive parts of a parcel may be enrolled in continuous CRP and the remaining land that is returned to farming can participate in CSP or EQIP and may be eligible to receive additional ranking points.

Other Flexibilities to Support Conservation

Additionally, NRCS is also offering a new flexibility for EQIP and CSP participants who have cover cropping including in their existing contracts. NRCS will allow participants to either modify their plans to plant a cover crop (and instead shift to a conservation crop rotation) or delay their cover crop plans a year, without needing to terminate the existing contract. This will allow for flexibility to respond to market signals while still ensuring the conservation benefits through NRCS financial and technical assistance for participating producers.

More Information

Producers and landowners can learn more about these options by contacting FSA and NRCS at their local [USDA Service Center](#).

Before You Break Out New Ground, Ensure Your Farm Meets Conservation Compliance

The term “sodbusting” is used to identify the conversion of land from native vegetation to commodity crop production after December 23, 1985. As part of the conservation provisions of the Food Security Act of 1985, if you’re proposing to produce agricultural commodities (crops that require annual tillage including one pass planting operations and sugar cane) on land that has been determined highly erodible and that has no crop history prior to December 23, 1985, that land must be farmed in accordance with a conservation plan or system that ensures no substantial increase in soil erosion.

Eligibility for many USDA programs requires compliance with a conservation plan or system on highly erodible land (HEL) used for the production of agricultural commodities. This includes Farm Service Agency (FSA) loan, disaster assistance, safety net, price support, and conservation programs; Natural Resources Conservation Service (NRCS) conservation programs; and Risk Management Agency (RMA) Federal crop insurance.

Before you clear or prepare areas not presently under production for crops that require annual tillage, you are required to file Form AD-1026 "Highly Erodible Land Conservation and Wetland Conservation Certification," with FSA indicating the area to be brought into production. The notification will be referred to NRCS to determine if the field is considered highly erodible land. If the field is considered HEL, you are required to implement a conservation plan or system that limits the erosion to the tolerable soil loss (T) for the predominant HEL soil on those fields.

In addition, prior to removing trees or conducting any other land manipulations that may affect wetlands, remember to update form AD-1026, to ensure you remain in compliance with the wetland conservation provisions.

Prior to purchasing or renting new cropland acres, it is recommended that you check with your local USDA Service Center to ensure your activities will be in compliance with the highly erodible land and wetland conservation provisions.

For additional information on highly erodible land conservation and wetland conservation compliance, contact your local USDA Service Center.

Change to Policy on Filing a Notice of Loss for Grazed Forage Producers with NAP Coverage

For the 2022 crop year, NAP forage producers with the intended use of grazing who elect to use independent assessments or other approved alternative loss percentage methods to establish their loss are no longer required to file a CCC-576 Notice of Loss with FSA. However, a CCC-576 Application for Payment form must be submitted to FSA no later than 60 calendar days after the coverage period ends. If an independent assessment is used to determine the loss, producers have 180 days to file an application for payment.

Producers that elect to have the grazing loss determined using similar mechanically harvested units still must timely file a CCC-576 Notice of Loss within 15 days of the disaster event or damage to the crop first becomes apparent or within 15 days of harvest.

Applying for FSA Direct Loans

FSA offers direct farm ownership and direct farm operating loans to producers who want to establish, maintain, or strengthen their farm or ranch. Direct loans are processed, approved and serviced by FSA loan officers.

Direct farm operating loans can be used to purchase livestock and feed, farm equipment, fuel, farm chemicals, insurance, and other costs including family living expenses. Operating loans can also be used to finance minor improvements or repairs to buildings and to refinance some farm-related debts, excluding real estate.

Direct farm ownership loans can be used to purchase farmland, enlarge an existing farm, construct and repair buildings, and to make farm improvements.

The maximum loan amount for direct farm ownership loans is $600,000 and the maximum loan amount for direct operating loans is $400,000 and a down payment is not required. Repayment terms vary depending on the type of loan, collateral and the producer's ability to repay the loan. Operating loans are normally repaid within seven years and farm ownership loans are not to exceed 40 years.

Please contact your local FSA office for more information or to apply for a direct farm ownership or operating loan.

USDA Launches First Phase of Soil Carbon Monitoring Efforts through CRP

The U.S. Department of Agriculture (USDA) is investing $10 million in a new initiative to sample, measure, and monitor soil carbon on Conservation Reserve Program (CRP) acres to better quantify the climate outcomes of the program. CRP is an important tool in the Nation's fight to reduce the worst impacts of climate change facing our farmers, ranchers, and foresters. This initiative will begin implementation in fall 2021 with three partners. Today's announcement is part of a broader, long-term soil carbon monitoring effort across agricultural lands that supports USDA's commitment to deliver climate solutions to agricultural producers and rural America through voluntary, incentive-based solutions.

These models include the Daily Century Model, or DayCent, which simulates the movement of carbon and nitrogen through agricultural systems and informs the National Greenhouse Gas Inventory. Data will also be used to strengthen the COMET-Farm and COMET-Planner tools, which enable producers to evaluate potential carbon sequestration and greenhouse gas emission reductions based on specific management scenarios.

USDA partners will conduct soil carbon sampling on three categories of CRP practice types: perennial grass, trees, and wetlands.

Perennial grasses: In consultation with USDA, Michigan State University will sample and measure soil carbon and bulk density of CRP grasslands (including native grass plantings, rangelands, and pollinator habitat plantings) at an estimated 600 sites across the U.S. with a focus in the central states during this five-year project. This information will be used to model and compare the climate benefits of CRP. Partners include the University of Wisconsin-Madison, the University of Arkansas at Pine Bluff, Deveron, an agriculture technology company, and Woods End Laboratories.

Trees: Mississippi State University will partner with Alabama A&M University to collect above and below ground data at 162 sites across seven states documenting CRP-related benefits to soil and atmospheric carbon levels. Information will help further calibrate the DayCent model. This five-year project will focus within the Mississippi Delta and Southeast states.

Wetlands: Ducks Unlimited and its partners will collect data on carbon stocks in wetland soils as well as vegetation carbon levels at 250 wetland sites across a 15-state area in the central U.S. Data will support the DayCent and additional modeling. Partners for this five-year project include: Migratory Bird Joint Venture, Intertribal Research and Resource Center at United Tribes Technical College, Clemson University, Kenyon College, Lincoln University, Pennsylvania State University, the University of Missouri, and the University of Texas at Austin.

CRP Monitoring, Assessment, and Evaluation Projects

These three Climate Change Mitigation Assessment Initiative projects are funded through FSA's program to work with partners to identify Monitoring, Assessment and Evaluation (MAE) projects to quantify CRP environmental benefits to water quality and quantity, wildlife, and rural economies.

Applications for projects were welcome from all organizations, including public, private, nonprofit institutions, and educational institutions including historically Black colleges and universities, Tribal colleges and universities and Hispanic-serving institutions or organizations.

For more details on the all the awarded MAE projects, visit the FSA Monitoring Assessment & Evaluation webpage.

About the Conservation Reserve Program

CRP is one of the world's largest voluntary conservation programs, with an established track record of preserving topsoil, sequestering carbon, reducing nitrogen runoff and providing healthy habitat for wildlife.

In exchange for a yearly rental payment, agricultural producers enrolled in the program agree to remove environmentally sensitive land from production and plant species that will improve environmental health and quality. In general, land is enrolled in CRP for 10 to 15 years, with the option of re-enrollment. FSA offers multiple CRP signups, including the general signup and continuous signup, as well as Grassland CRP and pilot programs focused on soil health and clean water. In 2021, producers and landowners enrolled more than 5.3 million acres in CRP signups, surpassing USDA's 4-million-acre goal.

Earlier this year, USDA announced updates to CRP including higher payment rates, new incentives for environmental practices, and a more targeted focus on the program's role in climate change mitigation. This included a new Climate-Smart Practice Incentive for CRP general and continuous signups that aims to increase carbon sequestration and reduce greenhouse gas emissions. Climate-Smart CRP practices include establishment of trees and permanent grasses, development of wildlife habitat, and wetland restoration. Download the [“What’s New” fact sheet] to learn more about CRP updates.

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.

FSA Offers Disaster Assistance for Qualifying Tree, Bush and Vine Losses

If you’re an orchardist or nursery tree grower whose experienced losses from natural disasters during calendar year 2022, you must submit a TAP application either 90 calendar days after the disaster event or the date when the loss is apparent.

TAP provides financial assistance to help you replant or rehabilitate eligible trees, bushes and vines damaged by natural disasters.

Eligible tree types include trees, bushes or vines that produce an annual crop for commercial purposes. Nursery trees include ornamental, fruit, nut and Christmas trees that are produced for commercial sale. Trees used for pulp or timber are ineligible.

To qualify for TAP, orchardists must suffer a qualifying tree, bush or vine loss in excess of 15 percent mortality from an eligible natural disaster, plus an adjustment for normal mortality. The eligible trees, bushes or vines must have been owned when the natural disaster occurred; however, eligible growers are not required to own the land on which the eligible trees, bushes and vines were planted.

If the TAP application is approved, the eligible trees, bushes and vines must be replaced within 12 months from the date the application is approved. The cumulative total quantity of acres planted to trees, bushes or vines, for which you can receive TAP payments, cannot exceed 1,000 acres annually.

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