



# MODOC COUNTY FSA NEWS

Volume 1

January 2010

## **Modoc County FSA**

802 W 12<sup>th</sup> Street  
Alturas, CA 96101  
(530) 233-4391  
(530) 233-8869 FAX

## **Hours:**

Monday – Friday  
8:00 AM – 4:30 PM

## **County Committee:**

Ron Schluter, Chairperson  
Darrell DePaul, Vice Chair  
Kathy Ackley, Member

## **Meeting Schedule:**

Regular committee meetings are the first Thursday of the month at 10:00 AM.

## **County Director:**

Christopher Lauppe

## **County Office Staff:**

Marlene Hamilton, PT

## **Farm Loan Officer:**

Katherine Lewis (Yreka)

## **2008 SURE SIGNUP BEGINS**

Signup for the Supplemental Revenue Assistance Payments program (SURE) for producers who suffered 2008 crop production or quality losses began January 4, 2010. An ending date has not been announced.

Unlike previous disaster programs, SURE takes into consideration crop losses on and revenue from all crops grown by a producer nationwide. It provides assistance in an amount equal to 60% of the difference between the SURE farm guarantee and total farm revenue. The farm guarantee is based on the amount of crop insurance and Non-insured Crop Disaster Assistance Program (NAP) coverage on the farm. Total farm revenue takes into account the actual value of production on the farm as well as insurance indemnities and certain farm program payments.

To be eligible, producers must have:

- met the risk management purchase requirement (RMPR) by either obtaining crop insurance or NAP coverage for all economically significant crops grown

### **PLUS**

- had a farming interest physically located in or contiguous to a county with a 2008 Secretarial disaster designation;

### **AND**

- suffered at least a 10% production loss on at least one crop of economic significance;

### **OR**

- individually suffered at least a 50% loss of the normal production on the farm due to a natural disaster.

Producers had the opportunity to obtain a waiver of the 2008

RMPR through a buy-in provision. The RMPR may be waived for producers considered socially disadvantaged, a beginning farmer or rancher or a limited resource farmer.

## **COMMITTEE ELECTION**

Kathy Ackley was reelected to the county committee. Clinton Hall Sr. was elected 1<sup>st</sup> Alternate and Ben DuVal elected 2<sup>nd</sup> Alternate by write-in votes.

## **DCP SIGN-UP IN PROGRESS**

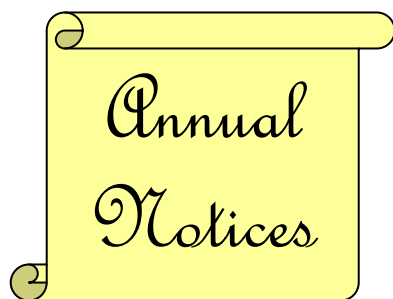
Sign-up has started for the 2010 Direct and Counter-cyclical Payment (DCP) Program for farms with base acres. Sign-up will continue until June 1, with no late filing. Producers will also be eligible to enroll in the Average Crop Revenue Election (ACRE) Program option. ACRE provides a safety net based on state revenue losses and acts in place of the counter-cyclical payments under DCP. Farms choosing to enroll in the ACRE option remain in ACRE through 2012.

## **STRESSED FARMER HELP**

The National Suicide Prevention Hotline is available to help emotionally stressed farmers. Call 1-800-273-TALK to be routed to the crisis center nearest you 24/7. This service is free and confidential.

## **BANK ACCOUNT CHANGES**

FSA payments are made by Direct Deposit whenever possible. In order for timely payments to be made, please notify the FSA office if your bank account has been changed or if another financial institution purchases your bank.



### **HIGHLY ERODIBLE LAND AND WETLAND COMPLIANCE**

Operators are reminded that in order to receive payments, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Farmers with HEL soils need to be aware of tillage, crop residue and rotation requirements as specified in their conservation plans. It is very important that you contact our office before modifying (e.g., tiling, draining, dredging, filling or leveling) any wetland or drainage ditch. Failure to obtain advance approval for any of these situations can result in loss of all Federal payments and eligibility.

### **CONTROLLED SUBSTANCE**

Any person convicted under federal or state law of a controlled substance violation could be ineligible for USDA payments or benefits. Violations include planting, harvesting or growing a prohibited plant (e.g., marijuana, opium poppies and other drug producing plants).

### **DESIGNATION BY LANDOWNER**

When land with contract acres is sold, those contract acres normally transfer with the land to the new owner based on a cropland ratio. However, the landowner and purchaser can agree to divide the contract acres in any manner that is mutually agreeable. To use this designation by landowner method, the land sold must have been owned for at least three years and the owner and purchaser must sign a memorandum of understanding designating contract acres

before completing the sale. If you have questions, please contact our office for details before selling your land.

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

### **1996 DEBT COLLECTION IMPROVEMENT ACT**

The DCIA provides, among other things, that a person owing a delinquent nontax debt to the Federal Government is ineligible for Federal financial assistance, including direct loans (other than disaster loans) or loan insurance or guarantee. The Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 amended DCIA to exclude marketing assistance loans or loan LDP's from the restrictions on barring delinquent Federal debtors from obtaining Federal loans or loan guarantees. Proceeds received from MAL's and LDP's will be offset against any delinquent debt owed by the producer to FSA. Proceeds from MAL's and LDP's to producers who are members of corporations, partnerships or other entities will be offset against the producer's pro rata share of entity payments after notification of the intent to offset has been provided to the nonborrower entities.

### **AGI COMPLIANCE**

Adjusted gross income must be certified by submitting a CCC-926 (Average Adjusted Gross Income Statement) annually. - **NEW IN JANUARY** - USDA has finalized a Memorandum of Understanding with the IRS to establish an electronic information exchange process for verifying compliance with AGI provisions for programs

administered by USDA's FSA and NRCS. All participants must provide consent for the use and disclosure of tax information to USDA agencies by completing and submitting a CCC-927 (individual) or CCC-928 (entity) to the IRS by June 1, 2010. Participants who choose to not submit required forms for 2009 and 2010 will be determined noncompliant.

Forms are available at Service Centers or online at: <http://intra3.fsa.usda.gov/dam/ffa/forms/forms.html>.

### **CIVIL RIGHTS/ DISCRIMINATION PROCESS**

As a participant in or applicant for programs or activities operated or sponsored by USDA, you have the right to be treated fairly. If you believe you have been discriminated against because of your race, national origin, gender, age, religion, disability or marital or familial status, you may file a discrimination complaint. The complaint should be filed with the USDA Office of Civil Rights within 180 days of the date you became aware of the alleged discrimination. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Room 326-S.W., Whitten Building, Stop 9410 Washington DC 20250-9410 or call (202) 720-5964 (voice or TDD). USDA is an equal opportunity provider and employer.

### **FOREIGN LANDOWNER NOTIFICATION**

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture through FSA. Failure to submit the AFIDA form within 90 days of closing could result in civil penalties of up to 25% of the fair market value of the property. It is the foreign person's responsibility to report the land transactions.

### **RECORD CHANGES**

Participation in FSA farm programs requires all records to be accurate and up to date. It is the producer's responsibility to inform FSA of changes to his/her farming operation including, but not limited to: land ownership changes, adding or dropping a tract of land (leases), entity type or ID number changes, marriage, divorce, deaths or changes in your financial institution for direct deposit. A copy of the deed must be submitted for ownership

changes; copies of written lease agreements must be submitted for all cash leases.

### **FRAUD MAY LEAD TO DISQUALIFICATION**

Producers found to have committed crop insurance fraud are ineligible for a number of programs administered by FSA and CCC. Any person found to have committed fraud will receive a notice and will have an opportunity for a hearing on the record. The person may be disqualified from receiving any

benefits under a number of programs for a period of up to 5 years. Other sanctions may also apply.

### **SPECIAL ACCOMODATIONS**

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.

<b>2009 – 2012 PERSON OR LEGAL ENTITY PAYMENT LIMITATIONS</b>	<b>LIMITATION</b>
<b><i>Commodity Programs</i></b>	
DCP Counter-Cyclical and Average Crop Revenue Election (ACRE), except peanuts	65,000
DCP Counter-Cyclical and ACRE – peanuts	65,000
DCP Direct payments on covered commodities, except peanuts	40,000
DCP Direct payments on peanuts	40,000
Loan Deficiency Payments (LDP) and Market Loan Gain (MLG)	No limit
<b><i>Conservation Programs</i></b>	
Conservation Reserve Program (CRP)	50,000
Cost Conservation Stewardship Program (CSTP)	200,000
Environmental Quality Incentives Program (EQIP)	300,000
Grassland Reserve Program (GRP)	50,000
Wildlife Habitat Incentives Program (WHIP)	50,000
Wetlands Reserve Program (WRP)	50,000
<b><i>Disaster Assistance Programs</i></b>	
Emergency Assistance for Livestock, Honey Bees and Farm-Raised Fish (ELAP); Livestock Forage Disaster Program (LFP); Livestock Indemnity Program (LIP); Supplemental Revenue Assistance Program (SURE)	100,000
Noninsured Crop Disaster Assistance Program (NAP)	100,000
Tree Assistance Program (TAP)	100,000

## **FARM LOAN PROGRAMS**

FSA makes direct and guaranteed farm ownership (FO) and operating loans (OL) to family-size farmers and ranchers who cannot obtain commercial credit from a commercial lender. FSA loans can be used to purchase land, livestock, equipment, feed, seed, and supplies. Our loans can also be used to construct buildings or make farm improvements.

FSA loans are often provided to beginning farmers who cannot qualify for conventional loans because they have insufficient financial resources. FSA also helps established farmers who have suffered financial setbacks from natural disasters, or whose resources are too limited to maintain profitable farming operations.

Recently, Lassen and Shasta Counties were designated by the Secretary of Agriculture as disaster counties due to drought in 2009. As a contiguous county to Lassen and Shasta, Modoc County farmers and ranchers are also eligible to apply for Emergency Loans to help cover part of their actual losses in 2009 due to drought. Some eligibility requirements are: Have suffered at least a 30 percent loss of normal production due to drought. Be able to repay the loan and any other loan. Be unable to obtain credit elsewhere. Have adequate security. Have multi-peril crop insurance, if available, and meet other eligibility criteria. Applications should be filed with our Farm Loan Officer, Katherine Lewis, at 215 Executive Court, Suite C, Yreka, CA 96097. Her phone number is 530-842-6123 extension 2.

UNITED STATES DEPARTMENT OF AGRICULTURE  
Modoc County FSA Office  
802 W 12<sup>th</sup> Street  
Alturas, CA 96101

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**Dates to Remember:**

**January 29** is the final date to submit a request for a Loan Deficiency Payment for 2009shorn wool or unshorn slaughter lambs or pelts.

**January 29** is the final date to submit an application for the 2009 Livestock Forage Program.

**February 15** is George Washington's Birthday Holiday. Federal offices are closed.

**March 31** is the final date to request marketing assistance loans for farm stored wheat, barley, or oats. It is also the final date to request any Loan Deficiency Payments for these three commodities.

**June 1** is the final date to file a contract to participate in the 2010 DCP program.

**July 15** is the final date to submit a crop acreage report without being charged for a farm visit. All farms participating in the DCP, NAP, and Livestock Forage Program must submit an acreage report.

**August 1** is the deadline to request a farm reconstitution that would be effective for program year 2010.

**August 16** is the final date to apply for an FSA Emergency Loan due to drought.

**September 1** is the final date to purchase NAP insurance for forage crops intended for hay for 2011. The basic cost is \$250.00 per crop.

**December 1** is the final date to purchase NAP insurance for forage crops intended for grazing for 2011. This includes rangeland. Purchase of this insurance option is a requirement for the Livestock Forage Program for 2011 unless the producer meets the provisions of limited resource, socially disadvantaged, or beginning farmer.

The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disabilities, political beliefs and marital or familial status. (Not all prohibited bases apply to all programs.) *Persons with disabilities who require alternative means for communication of program information (Braille, large print, audio type, etc.) should contact the USDA's TARGET Center at (202) 702-2661 (voice and TDD). To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250 or call (800) 245-6340 (voice) or (202) 720-1127 (TDD). USDA is an Equal Opportunity Employer.*