



March 2010

Solano-Napa FSA News

USDA
Solano-Napa Co FSA
1170 N Lincoln St #109
Dixon CA 95620

707-678-1931 phone
707-678-5001 fax
www.fsa.usda.gov/CA

Hours
Monday - Friday
8:00 a.m. - 4:30 p.m.
Closed Federal Holidays

County Staff
Lynda Janne, CED
Laura VanHoose
Bonita Nogales
Robert Currey
Jan Durante

County Committee
Scheduled Meetings
2nd Wednesday of each
month, 1:00 PM
1170 N Lincoln St, #109
Dixon CA 95620

County Committee
Linda Neal LAA1
Richard Hamilton LAA2
Tom Galindo LAA3
Craig Nakahara Advisor



JUNE 15 DEADLINE

IMPORTANT, all payees:

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 (for an entity) to the IRS. Participants who choose to not submit the required forms for 2009 and 2010 will be determined noncompliant, and any 09/10 payments will be considered unearned.

Forms are available at USDA Service Centers or online at: http://intra3.fsa.usda.gov/dam/ffa_sforms/forms.html

SUPPLEMENTAL REVENUE ASSISTANCE PROGRAM (SURE) – SIGNUP IS ON-GOING

The Solano-Napa FSA Office is now taking appointments for the 2008 crop loss SURE program.

Many farmers have been contacting this office for several months, waiting for this program announcement. We will be contacting producers who have already been in our office with their loss information; however, you are encouraged to call 707-678-1931 ext 2 to schedule an appointment.

If it has not already been done, you will need to complete eligibility paperwork in addition to providing us (and every other county in which you have any crop interest) with your 2008 acreage reports.

2010 DCP/ACRE Signup

The last day to enroll your farm in the 2010 Direct and Counter-Cyclical Program (DCP) or the ACRE option is June 1, 2010. **All required signatures must be on file no later than close of business on June 1.**

CROP REPORTS DUE

Fall-seeded planted acreages should be reported to this office no later than April 30, 2010.

Most programs offered through FSA (DCP, NAP, ELAP, SURE, LDPs, etc) require crop plantings to be reported in a timely manner.

Spring-seeded and perennial crops have a reporting deadline of July 15, 2010.

ANNUAL NOTICES

AGI COMPLIANCE

Adjusted gross income must be certified by submitting a CCC-926, Average Adjusted Gross Income (AGI) Statement annually for any producer requesting benefits. 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.

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 (tiling, draining, dredging, filling, 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.

DISCRIMINATION PROCESS

As a participant or an 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.

ACCOMMODATIONS

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact the FSA office staff directly or by phone.

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 (marijuana, opium poppies and other drug producing plants).

FSA SIGNATURE POLICY

For FSA and Commodity Credit Corporation programs in which either has an interest, husband and wives may sign documents on behalf of each other. This option is automatically available unless written request for exclusion is made to the county office staff by either spouse. There are exceptions to the rule, where spouses may not sign on behalf of each other for partnerships or other entities, and certain loan documents require individual signatures. Contact the county office for specifics.

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 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 or 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.

FOREIGN BUYERS NOTIFICATION

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of US agricultural land to report their holdings to the Secretary of Agriculture. FSA administers this program for USDA. All individuals who are not US citizens, and have purchased or sold agricultural land in the county, are required to report the transaction to FSA within 90 days of the closing. Failure to submit the AFIDA form FSA-153 could result in civil penalties of up to 25% of the fair market value of the property. County government offices, realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

BANK AND ACCOUNT CHANGES

Current policy mandates that FSA payments be electronically transferred into your bank account. In order for timely payments to be made, producers need to notify the FSA county office if your account has been changed or if another financial institution purchases your bank. Payments can be delayed if the FSA office is not aware of updates to your account and routing numbers.

PAYMENT ELIGIBILITY

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

- payment limitation by direct attribution
- payment limitation amounts for applicable programs
- actively engaged in farming requirements
- cash rent tenant rule
- foreign person rule
- average AGI limitations

NO program benefits subject to limitation will be provided until:

- ✚ all required forms for the specific situation are provided
- ✚ necessary payment eligibility and payment limitation determinations are made.

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

After 2009, a farm operating plan is not required to be filed annually, if the farming operation continues to be conducted as reflected on the plan.

If changes occur that could affect an actively engaged, cash-rent tenant, foreign person, or AGI determination, producers must timely notify the county office by filing revised forms.

There are statutory provisions requiring entities earning benefits subject to limitation to provide names, addresses and TINs of the members.

All payment eligibility/limitation forms submitted by producers are subject to end-of-year review spot check.

A determination of not actively engaged in farming results in the producer being ineligible for benefits requiring an actively engaged determination. Noncompliance with AGI provisions will result in the determination of ineligibility for all program benefits subject to AGI provisions.

MARKETING ASSISTANCE LOANS

MALs for crop years 2009 through 2012 are available to producers who share in the risk of producing the crop. To be eligible, you must maintain beneficial interest in the crop through the time of application. Beneficial interest means retaining the ability to make decisions about the commodity; responsibility for loss or damage to the commodity; and title to the commodity. Once beneficial interest in a commodity is lost, the commodity is ineligible for loan even if you regain beneficial interest. Commodity loan eligibility also requires you comply with conservation and wetland protection requirements; beneficial interest requirements, report how you use cropland acreage on the farm and ensure that the commodity meets Commodity Credit Corporation (CCC) minimum grade and quality standards. For commodities to be eligible they must have been produced by an eligible producer, be in existence and in a storable condition and be merchantable for food, feed or other uses as determined by CCC. The quality of the commodity in farm storage must be maintained throughout the term of the loan. Producers do not have to participate in DCP to be eligible for commodity loans. Violating provisions of a marketing assistance loan may trigger administrative actions, such as assessing liquidated damages, calling the loan, and denial of future farm-stored loans. The most common violations are removing or disposing of a commodity being used as loan collateral without prior authorization and providing an incorrect quantity certification.

LOAN DEFICIENCY PAYMENT

For an LDP, the producer must retain beneficial interest in the commodity from the time of planting through the date the producer files Form CCC-633EZ (page 1) in the FSA county office.

Solano/Napa Co FSA
 1170 N Lincoln St #109
 Dixon CA 95620



**PRESORTED STANDARD
 U.S. POSTAGE PAID
 Davis CA 95616
 PERMIT #22**

**IMPORTANT
 NOTICE FOR
 ALL PAYEES
 INSIDE –
 JUNE 15
 DEADLINE**

Dates to Remember	
Apr 30	Last Day to timely file fall-seeded crop report
May 31	CLOSED – Memorial Day
June 1	DCP Contract Deadline
June 15	IRS form deadline for all 09/10 payees (FSA-927 and/or FSA-928)
July 5	CLOSED – Independence Day
July 15	Last Day to timely file spring-seeded and perennial crop report

Selected Interest Rates for February 2010	
Farm Operating - Direct	2.65%
Farm Ownership - Direct	4.875%
Limited Resource	5.00%
Farm Ownership - Direct Down Payment, Beginning Farmer or Rancher	1.500%
Emergency	3.750%
Farm Storage Facility 3.25% to 4% depending on term	
Commodity Loans 1996-Present	1.375%

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance programs. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call (800) 795-3272 (voice) or (202)-720-6382 (TDD). USDA is an equal opportunity provider and employer."