



November 2011

**Solano-Napa
FSA Office**

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

**Solano-Napa County
Committee**
Linda Neal, LAA 1
Richard Hamilton, LAA 2
Tom Galindo, LAA 3
Craig Nakahara, Advisor

Staff
Lynda Janne, CED
Laura VanHoose, PT
Bonita Nogales, PT

**2010 SURE SIGNUP
Nov 14, 2011 – June 1, 2012**

The signup period for the 2010 crop year Supplemental Revenue Assistance Payments (SURE) program is from Nov 14, 2011 through June 1, 2012. SURE is one of five disaster programs included in the Food, Conservation and Energy Act of 2008 that provides assistance to farmers and ranchers who have suffered losses due to natural disasters.

To be eligible for SURE, a farm must have:

- ✓ at least a 10% production loss on a crop of economic significance
- ✓ a policy or plan of insurance under the Federal Crop Insurance Act or the Noninsured Crop Disaster Assistance Program (NAP) for **all** economically significant crops
- ✓ been physically located in a county that was declared a primary disaster county or contiguous county under a Secretarial Disaster Designation. (NOTE: Neither Solano nor Napa county qualify under this designation for 2010.) **Without the disaster designation, individual producers may be eligible if the actual production on the farm is less than 50% of the normal production on the farm due to a natural disaster.**

Producers considered socially disadvantaged, a beginning farmer or rancher, or a limited resource farmer may be eligible for SURE without insurance or NAP.

Call this office to make an appointment to assess your 2010 crop losses.

COC Election – LAA 2

Ballots were mailed to eligible voters in LAA2 on November 4. If you didn't receive a ballot, contact this office.



County Committee nominees are:

**Richard Hamilton
Craig Nakahara**



Completed and signed ballots are due back in this office by the close of business on **Dec 5, 2011.**

2012 DCP/ACRE Signup will begin January 23, 2012.

Generally, enrollment has begun October 1 for DCP and ACRE contracts. However, as required in the 2008 Farm Bill, there are **no** 2012 advance direct payments for DCP and ACRE and it has been determined signup will be delayed until January 23, 2012.

Please contact this office before Jan 23 to update your farm operation records.

Record Changes

Participation in FSA programs requires all records to be accurate and up to date. *It is the producer's responsibility* to inform FSA of any changes to the farming operation, including but not limited to land ownership changes, adding or losing leases, entity type or ID number changes, etc.

E-GOV Update

We will soon be advancing to electronic delivery of our newsletters. FSA offices throughout the nation are working to obtain email addresses of our customers in order to provide faster, less costly and more efficient notification of deadlines and FSA program information.

In order to assure you receive timely notice of FSA programs and deadlines, we encourage you to sign up **now** for electronic delivery. **Very Easy to do:** go to the FSA website at www.fsa.usda.gov. On the right side of the page mid-way down, under "Stay Connected", push the GO button, then load your email address and submit. Or come visit our office and one of the staff will assist you!



ANNUAL NOTICES

Highly Erodible Land & Wetland Compliance

Participants in USDA programs 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 (tilling, 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.

Spousal Signatures

Husbands and wives may sign documents on behalf of each other for FSA and Commodity Credit Corporation programs in which either has an interest. This option is automatically available unless a 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, joint ventures, corporations or other similar entities.

Individual signatures are also required on certain Farm Loan Program and Farm Storage Facility Loan documents.

For more clarification on spousal signature authority, contact your local FSA office.

Foreign Buyers Notice

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.

AGI Compliance

Adjusted Gross Income must be certified by submitting a CCC-931, Average Adjusted Gross Income (AGI) certification annually for any producer requesting benefits.

The CCC-931 is a new form as of September 2011. It includes a statement of consent for the use/disclosure of tax information to USDA agencies directly to IRS.

As IRS does not recognize the signature authority provided under FSA rules, the FSA-211 Power of Attorney form may **not** be used to complete AGI certifications and consents to disclose. For the same reason, spouses may not sign the CCC-931 on behalf of each other.

AGI RULES: [7 CFR 1400.500] A person or legal entity shall **not** be eligible to receive certain program benefits during the 2009 through 2012 crop, program, or FY if the average AGI exceeds specified amounts.

The AGI limitations are as follows:

IF average adjusted gross...
nonfarm income exceeds \$500,000
THEN the person or legal entity is ineligible for...
commodity, price support, and disaster assistance **unless** 66.66 percent or more of the average AGI was derived from activities related to farming, ranching, and forestry operations.

IF average adjusted gross...
farm income exceeds \$750,000
THEN the person or legal entity is ineligible for...
DCP direct payments

IF average adjusted gross...
nonfarm income exceeds \$1 million
THEN the person or legal entity is ineligible for...
conservation program benefits, **unless** 66.66 percent or more of the average AGI was derived from activities related to farming, ranching, and forestry operations.

Average AGI
minus the
Average Adjusted Gross Farm Income
equals the
Average Adjusted Gross Nonfarm Income

Crop Reports Due

Reports of fall-seeded small grains are due **no later than April 30, 2012**. Most programs offered through FSA (DCP, NAP, ELAP, SURE, LDP's, etc) require crop plantings to be reported in a timely manner.

The report for spring planted and perennial crops is due July 15, 2012.



Farm Loan Programs

The Farm Service Agency is committed to providing family farmers with loans to meet their farm credit needs. If you are having trouble getting the credit you need for your farm, or regularly borrow from FSA, direct and guaranteed loans are currently available.

If you've had a setback and your lender is reluctant to extend or renew your loan, ask your lender about an FSA loan guarantee.

Direct farm ownership loans or farm operating loans may be obtained from FSA for a maximum of up to \$300,000. Guaranteed loans can reach a maximum of \$1,119,000. Producers are encouraged to apply early so that the application and loan can be processed and funded in a timely manner.

NAP RECORDS

Production records for individual crops need to be filed at the FSA office to establish an approved NAP (Non-insured Crop Disaster Assistance Program) yield. If this is your first year in NAP, you can provide production and acreage information from prior years to establish your yield. If you participated in NAP in previous years, you must report your production and acreage on a yearly basis to keep your yield up-to-date. Records submitted must be reliable or verifiable and need to show crop disposition. All production records must be submitted by the subsequent crop year's final acreage reporting date.



NAP LOSS FILING

The CCC-576 (Notice of Loss) is used to report failed acreage and prevented planting and may be completed by any producer with an interest in the crop. Timely filing the Notice of Loss is required for all crops – including grasses. For losses on crops covered by NAP and crop insurance, you must file a CCC-576 in the FSA County Office within 15 days of 1) the occurrence of the disaster or 2) when losses become apparent.

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 the 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 farm operating plan and supporting documents are on file in the County Office

If any changes occur that could affect an actively engaged in farming, cash-rent tenant, foreign person, or average AGI determination, producers **must** timely notify the County Office by filing revised farm operating plans and/or supporting documentation.

There are statutory provisions that require entities, earning program benefits that are subject to limitation, to provide the names, addresses, and TIN's of the entities' members

All applicable payment eligibility and payment limitation forms submitted by producers are subject to spot check through the end-of-year review process.

A determination of **not** actively engaged in farming results in the producer being ineligible for any payment or benefit requiring a determination of actively engaged in farming.

Noncompliance with AGI provisions, either by exceeding the applicable limitations or by failure to submit a certification statement, will result in the determination of ineligibility for **all** program benefits subject to AGI provisions.

Solano-Napa County FSA
1170 N Lincoln St #109
Dixon California 95620



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**NOTICE
TO HISPANIC
AND/OR
WOMEN
FARMERS OR
RANCHERS**

**COMPENSATION
FOR CLAIMS OF
DISCRIMINATION**

If you believe that the United States Department of Agriculture (USDA) improperly denied farm loan benefits to you between 1981 and 2000 because you are Hispanic, or because you are female, you may be eligible to apply for compensation.

To register your name to receive a claims packet, call the Farmer and Rancher Call Center at 1-888-508-4429 or visit: www.farmerclaims.gov

The claims package will have detailed information about the eligibility and claims process.



USDA is an equal opportunity provider and employer.

***IMPORTANT
DATES***

Nov 14	SURE Sign-Up Begins for 2010 crop losses
Dec 1	NAP coverage deadline for honey & forage crops
Dec 5	Last day to submit ballot LAA2 COC
Jan 23	Sign-Up Begins for 2012 DCP/ACRE
Mar 1	NAP coverage deadline for annual spring crops
Apr 30	Deadline to timely report planted wheat, barley & oats

**Office Closed: Nov 11, Nov 24, Dec 26
Jan 2, Jan 16, Feb 20**

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