



Stanislaus-Tuolumne Counties FSA News

**USDA Service Center
Stanislaus-Tuolumne FSA**
3800 Cornucopia Way, Ste E
Modesto, CA 95358
209-491-9320 phone
209-491-9331 fax
www.fsa.usda.gov/ca

Hours
Monday - Friday
8 a.m. - 4:30 p.m.

Office Closed:
Friday, July 3rd, 2009

County Committee (COC)
David Santos, Chairman
Kurt Erickson, Vice Chair
Dave Wheeler, Member
Bob Brennan, Member
Tina Nunes, Advisor
Polo Ramos, Advisor

Farm Program Staff:
Jonna Spaletta, CED
María Juárez, PT
Latisha Vella, PT
Ashley Nichols, PT
Carmen Cardenas, PT

Farm Loan Staff:
Suzie Wilson, State Specialist
Joe Enos, Acting FLM
Alma Jaquez, PT
Lupe Mims, PT



County Committee Elections “FSA Counts on You”

Since County Committee (COC) elections happen only once a year, here is an election refresher. For election purposes, counties are divided into *local administrative areas*, or LAAs. Each LAA selects one producer to serve a three-year term on the Farm Service Agency County Committee.

Each year, an election is held in an LAA to replace the committee member whose three-year term is expiring. In counties with three LAAs, one seat is up for election. In combined counties in some years, two seats may be up for election.

This year LAA 2 for Stanislaus and LAA 4 for Tuolumne are up for election. LAA 2 covers the central part of Stanislaus County, including areas such as Modesto, Ceres, Keyes, Hughson, Hickman, and Denair. LAA 4 covers all of Tuolumne County.

Nominations

Candidate nominations for the FSA county committee election will be accepted through **August 3, 2009**.

Producers who are residents in the LAA holding the election and who participate or cooperate in an FSA program and are of legal voting age may be nominated to serve on the county committee.

Individuals may nominate themselves or others as candidates. Also, organizations representing socially disadvantaged minorities and women farmers or ranchers may also nominate candidates.

The nomination form, FSA-669A, is available at the county office or may be downloaded from:

<http://www.fsa.usda.gov/FSA/webapp?area=newsroom&subject=landing&topic=cce>.

To be valid, the nomination form must be signed by the person being nominated, indicating agreement to serve if elected. The completed nomination form must be returned to the county office by the close of business on **Aug. 3**, or postmarked by **midnight Aug. 3, 2009**.

Voting

Ballots will be mailed to eligible voters beginning Nov. 6, and must be returned to the county office by the close of business on Dec. 7, or postmarked by midnight Dec. 7, 2009. Agricultural producers of legal voting age can vote if they participate or cooperate in any FSA program. A person who is not of legal voting age but supervises and conducts the farming operations on an entire farm can also vote.

No one can be denied the right to vote because of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation or marital or family status.

Candidate Eligibility

To hold office as a county committee member, a person must meet the following basic eligibility criteria:

- Participate or cooperate in a program administered by FSA
- Be eligible to vote in a county committee election
- Reside in the LAA in which the person is a candidate
- Not have been:
 - Removed or disqualified from the office of county committee member, alternate or employee
 - Removed for cause from any public office or have been convicted of fraud, larceny, embezzlement or any felony
 - Dishonorably discharged from any branch of the armed services.

For additional clarification about county committee elections, contact your local county office staff.

DCP & ACRE Signup Deadline

Signup for the 2009 Direct and Counter-cyclical Payment (DCP) Program has been extended until **August 14, 2009**. FSA will not accept any late-filed applications. Signup for the ACRE option is also available through August 14, 2009.

FSA computes DCP Program payments using base acres and payment yields established for each farm. Eligible producers receive direct payments at rates established by statute regardless of market prices. For 2009, you may request to receive advance direct payments based on 22 percent of the direct payment for each commodity associated with the farm. Counter-cyclical payment rates vary depending on market prices and are issued only when prices fall below a threshold level.

ACRE

The Average Crop Revenue Election (ACRE) program signup began April 27, 2009, and runs through August 14, 2009. The ACRE alternative provides eligible producers a state-level revenue guarantee, based on the 5-year state Olympic average yield and the 2-year national average price.

Producers who elect ACRE for a farm agree to:

- forgo counter-cyclical payments;
- accept a 20-percent reduction of the direct payments; and
- accept a 30-percent reduction in loan rates for all commodities produced on the farm

Commodities eligible for ACRE payments are wheat, corn, grain sorghum, barley, oats, upland cotton, long grain rice, medium and short grain rice, peanuts, soybeans, sunflower seed, canola, flaxseed, safflower, mustard seed, rapeseed, sesame seed, crambe, dry peas, lentils, small chickpeas and large chickpeas.

The ACRE program was created to give producers an option in lieu of traditional counter-cyclical payments. Producers may elect and enroll in ACRE for the 2009 crop year even if they have already accepted advance direct payments under the Direct and Counter-cyclical Program. A decision to elect ACRE binds the producer to the program from the program year elected by the producer through the 2012 crop year (and possibly into the next Farm Bill). For more details contact your local FSA office.

Farm Reconstitutions

For FSA program purposes, tracts having the same owner and the same operator are grouped under one farm serial number (FSN). When changes in ownership or operation take place, a farm reconstitution is necessary.

The reconstitution—or recon—is the process of combining or dividing farms or tracts of land based on the farming operation. Remember, to be effective for the current year, recons must be requested by **August 1** for farms enrolled in specific programs.

Pulse Crops

The Food, Conservation, and Energy Act of 2008 states eligible pulse crop acres may be added as base acres. The addition of pulse crop base acres is:

- effective for 2009 through 2012 crop years
- required to be calculated in the same manner as eligible oilseed acreage under the 2002 Farm Bill.

The calculation of pulse crop base acres and yield is based on the acreage and yield history from the 1998 through 2001 crop years. Pulse crops are defined as:

- dry peas (green, yellow, Austrian, Umatilla, & wrinkled); intended uses seed or dry edible.
- lentils; any intended use.
- large chickpeas (Kabuli garbanzo beans); any intended use.
- small chickpeas (Desi garbanzo beans); any intended use.

****Black Eyed Peas & Limas (large & small) are not considered Pulse Crops.***

Pulse crop base acres will only be eligible for counter-cyclical or Acreage Crop Revenue Election (ACRE) payments for 2009 through 2012 crop years. Direct payments will not be eligible.

Producers with current pulse crop acre history in 1998 through 2001 will be notified of the opportunity to update pulse crop base acres to their farm using one of three options. Producers must also provide verifiable and acceptable production evidence to support the calculated average farm yield for each pulse crop. The deadline for pulse crop base acres and yield election is August 14, 2009.

Producers that did not file acreage reports on pulse crops in 1998 through 2001, may now provide a late-filed acreage report at no charge. Acceptable evidence of the existence and disposition of the crop is required: Late-file prevented planting provisions for 1998 through 2001 pulse crops also apply.

Banking Changes?

Almost all Farm Service Agency payments are made electronically using Direct Deposit. This innovation has cut down on the number of missing and late payments and reduced the time required to move funds. It has been calculated that having a problem with a payment is 20 times greater with checks than with Direct Deposit. Another benefit is that Direct Deposit to your account can be made within 48 hours.

To keep the system running smoothly, it's critical to keep the county office staff up to date on changes you might make in your financial institutions.

If you have changed accounts or institutions that might affect the direct deposit of your FSA payments, contact the FSA county office so we can update our files to insure continued uninterrupted service.

EQIP Eligibility Requirements

Although NRCS administers the Environmental Quality Incentives Program (EQIP), FSA is responsible for assisting with eligibility requirements and making eligibility determinations. Producers who are applying for EQIP should note that we will ask for the following documentation/ information:

- Proof of Land Ownership (i.e. grant deed, property tax statement, etc.), **OR**
- Proof of Land Control (current valid lease)

**Please note land owned under Trust does matter!*

If an entity is applying, we will also ask for:

- Entity documents
 - Trust: Trust Documents/ Papers
 - General Partnership: Partnership Agreement
 - Corporation: Corporate Bylaws
 - LLC: Operating Agreement

During the application process, applicants will have to sign an Adjusted Gross Income (AGI) Certification as well. This form (CCC-926) will ask four questions.

- 1) average adjusted gross **nonfarm** income **\$500,000 or less?**
- 2) average adjusted gross **farm** income **\$750,000 or less?**
- 3) average adjusted gross **farm** income **\$1,000,000 or less?** and
- 4) did 66.66% of your average adjusted gross income come from farming (if greater than \$1mln)?

Producers should note that this AGI certification is required for the entity applying and for all individual persons associated with the entity applying.

Further, producers should note that they will be asked to complete a Highly Erodible Land Conservation (HEL) and Wetland Conservation Certification (AD-1026) that requires **ALL** land interests to be disclosed.

Lastly, it may be beneficial to note that producers who have already applied for 2009 FSA benefits may already have eligibility information filed with us and may not have to submit any further documentation.

NAP Production Reporting

Production records for individual crops need to be filed with our office to establish an approved NAP yield. If this is the first year you participated in NAP, you can provide production and acreage information from prior years to establish your yield. Records submitted must be reliable or verifiable. Records need to show crop disposition. We recommend producers submit 2009 production records as soon as harvest is complete. **All production records must be submitted by the subsequent crop year's final acreage reporting date.**

Timely Filing of Loss

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 a Notice of Loss is required on for **ALL CROPS**, including grasses. For losses on crops covered by the Non-insured Crop Disaster Assistance Program (NAP) and crop insurance, you must file a CCC-576 (notice of loss) in the FSA County Office within 15 days of the occurrence of the disaster or when losses become apparent. **Notice of Losses for crops must be received by the County Office prior to harvest so an FSA Loss Adjuster can be sent out to assess and document the loss.**

If filing for prevented planting, an acreage report and CCC-576 must be filed within 15 calendar days of the final planting date for the crop.

Please note that the County Committee is in the process of setting grass loss percentages for the 2009 grazing year. County Office Staff will be contacting those producers who purchased native grass coverage for the 2009 year via letter soon!

Those who paid the \$100 fee for the 2008 Buy-in will be eligible for the Livestock Forage Disaster Program (LFP) which we hope to have in August- please watch for information via mail!

Changes in Payment Limitations

The applicability of payment limitation provisions have expanded over the last 39 years to include more programs. See key changes below...

New forms for 2009 and subsequent years

Anyone that plans to participate in 2009 programs is required to submit a completed CCC-902, CCC-926, and CCC-901, if applicable, for payment eligibility and payment limitation purposes. The form used prior to 2009 was named CCC-502.

Another change for 2009, all must make a contribution in an entity

All partners, stockholders, or members with an ownership interest in the legal entity must make an active contribution, whether compensated or **not** compensated. That active contribution must include:

- personal labor, or
- active personal management,
- or a combination of active personal labor and active personal management to the farming operation;

**Note: there are exceptions for spouses who are involved in the same entity.*

As a reminder, producers who have started a 2009 payment limitation/eligibility file need to return all requested information/documentation before any other program applications can be approved and/or considered for payment.



Dates to Remember	
July 15 th	Acreage Reporting Deadline (Spring Seeded/ Rangeland/ ALL Others)
August 3 rd	COC Nominations filing Deadline
August 14 th	DCP & ACRE Sign-up Deadline
Ongoing	MILC Extended Sign-up Farm & Operating Loans
Selected Interest Rates for June 2009	
90-Day Treasury Bill	0.125%
Farm Operating Loans — Direct	2.25%
Farm Ownership Loans — Direct	4.25%
Farm Ownership Loans — Down Pymt	1.50%
Emergency Loans	3.75%

Acreage Reporting Deadline: July 15th

The annual requirement of reporting to the FSA office can be referred to as crop reporting, acreage reporting, or crop certification. Filing an accurate and timely report for all crops and land uses, including failed acreage, can prevent loss of benefits for a variety of Farm Service Agency programs.

The certification form FSA-578, Report of Acreage, must account for all cropland on a farm, whether idle/ fallow or planted. **The next certification deadline is July 15th for spring seeded crops (including corn, tomatoes, etc), rangeland/ native grass, and ALL other crops not previously reported.** Failure to report crops by the deadline may result in a late filed fee.

Programs requiring such acreage certifications include the Direct and Counter-Cyclical Program (DCP), Non-Insured Crop Disaster Assistance Program (NAP), Conservation Reserve Program (CRP), Loan Deficiency Payments (LDP's) and Marketing Assistance Loans (MAL's).

If producers have not already reported the crops mentioned above, please contact the office by July 15th to schedule an appointment!

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