



May/June 2011

Tulare County USDA Service Center

3530 W. Orchard Ct
Visalia, CA 93277
559-734-8732 Ext. 2 ph
559-732-2805 fax

Hours

Monday - Friday
8:00 a.m. - 4:30 p.m.

County Committee

Chairperson

Charlie Pitigliano, Jr.

Vice-Chairperson

Tom Gruber

Member

Mark Heuer

Advisor

Alex Garcia,

County Office Staff

Theresa Barajas, PT
Slade Childers, FL PT
Becky Garcia, CPT
Pat Miller, FLO
Yvonne Newman, PT
Danielle Parreira, PT
James Smith, PT
Kelly Solis, PT
Lorraine Wilson, PT

Farm Loan Manager

Tom Roberts

County Executive Director

Kaye Rydberg

2011 FSA County Committee Elections

The election of agricultural producers to Farm Service Agency (FSA) county committees is important to ALL farmers and ranchers, whether beginning or long-established, large or small. It is crucial that every eligible producer participate in these elections because FSA county committees are a link between the agricultural community and the U.S. Department of Agriculture.

County Committee (COC) members are a critical component of FSA operations. The intent is to have the COC reflect the makeup of the producers and to represent all constituents. This means wherever possible, minorities, women or lower income producers need to be on the committee to speak for these underrepresented groups.

County committees provide local input on commodity price support loans and payments, conservation programs, incentive, indemnity and disaster payments for some commodities, emergency programs and payment eligibility.

FSA county committee members apply their judgment and knowledge to make local decision and operate within official regulations designed to carry out federal rules, regulations and laws.

Who Can Hold Office

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

- 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.

Candidates must 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 other felony

- Dishonorably discharged from any branch of the armed services.

Nominations

Nominees must complete and sign form FSA -669A available at USDA Service Centers and online at: http://www.fsa.usda.gov/Internet/FSA_File/fsa0669a_commiteelectform.pdf

Nomination forms for the 2011 election must be postmarked or received in the local USDA Service Center by close of business on Aug. 1, 2011.

Agricultural producers who participate or cooperate in an FSA program may be nominated for candidacy

Who Can Vote

Agricultural producers of legal voting age (18 years) may be eligible to 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 of an entire farm may also be eligible to vote.

Election Period

• June 15, 2011

COC nomination period begins.

• Aug. 1, 2011

COC nomination forms (FSA-669A) due at the local USDA Service Center

• Nov. 4, 2011

COC ballots mailed to eligible voters

• Dec. 5, 2011

Last day to return completed COC ballots to the USDA Service Center

• Jan. 2, 2012

Newly elected COC members take office

For more information about county committee elections, give the office a call.

Local Administrative Area (LAA) for the 2011 COC election is LAA 1 consisting of the towns: Badger, Orosi, Dinuba Yettem, Traver, Ivanhoe, Goshen, Visalia, Farmersville.

2011 DCP Signup

Enrollment for the 2011 Direct and Counter-cyclical Program (DCP) will continue through June 1, 2011. USDA urges producers to make use of the eDCP automated website to sign up, or producers can come in to the office to complete their 2011 DCP contract.

USDA computes DCP 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 2011, eligible producers may request advanced direct payments based on 22 percent of the direct payment.

To make an appointment please give the office a call.

2011 ACRE Signup

The optional ACRE program provides a safety net based on state revenue losses and acts in place of the price-based safety net of counter-cyclical payments under DCP. The sign up deadline is June 1, 2011. USDA will not accept any late-filed applications.

A farm's payment is based on a revenue guarantee calculated using a five year average state yield and the most recent two year national price for each eligible commodity. An ACRE payment is issued when both the state and the farm have incurred a revenue loss. The total number of planted acres for which a producer may receive ACRE payments may not exceed the total base on the farm. For participating in ACRE, in addition to not receiving counter-cyclical payments, a farm's direct payment is reduced by 20 percent and marketing loan rates are reduced by 30 percent.

The decision to enroll in the ACRE program is irrevocable. The owner of the farm and all producers on the farm must agree to enroll in ACRE. Once enrolled, the farm will remain in ACRE through the 2012 crop year.

Highly Erodible Land and Wetland Conservation Compliance

Landowners and operators are reminded that in order to receive payments from USDA, compliance with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions are required. Farmers with HEL determined soils are reminded of tillage, crop residue, and rotation requirements as specified per their conservation plan. Producers are to notify the USDA Farm Service Agency prior to conducting land clearing or drainage projects to insure compliance. Failure to obtain advance approval for any of these situations can result in the loss of eligibility and all Federal payments.



Emergency Loans Available— Quarantine Designation SQ011

On November 1, 2010 Deputy Administrator for Farm Programs designated Kern County as a primary disaster area due to damages and losses caused by the Melon Fruit Fly quarantine, which began on August 19, 2010. Due to Tulare and Kings Counties being contiguous counties, Tulare And Kings County farmers who suffered significant damage may be eligible for low interest emergency loans from FSA if they are unable to get financing from any other source. These loans carry an interest rate of 3.75 percent. In situations of production loss, eligible farmers can also use emergency loan funds to recover a portion of losses on growing crops that were destroyed. For physical losses, eligible farmers can use emergency loan funds to prepare land for replanting and to replace livestock, supplies and harvested crops on hand or in storage that were lost. Loan applications will be accepted through July 1, 2011. For more information contact the office and speak with someone from the Farm Loan department.

Hispanic and Women Farmers

A process to resolve the claims of Hispanic and women farmers and ranchers who believe they were discriminated against when seeking USDA farm loans is being established.

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

For additional information on this claims process and other settlement issues contact:

Hispanic and Women Farmer Claims Process

www.farmerclaims.gov or
1-888-508-4429

Pigford - Black Farmers Discrimination Litigation

www.blackfarmercase.com or
1-866-950-5547

Keepseagle - Native American Farmers Class Action Settlement

www.IndianFarmClass.com or
1-888-233-5506

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.

Adjusted Gross Income

USDA and the Internal Revenue Service have established an electronic information exchange process for verifying compliance with the adjusted gross income (AGI) provisions for farm programs. Written consent is required from each producer or payment recipient for the tax review process. No actual tax data will be included in the report that IRS sends to FSA.

This ensures that payments are not issued to producers whose AGI exceeds certain limits. The limits set in the 2008 Farm Bill are \$500,000 nonfarm average AGI for commodity and disaster programs; \$750,000 farm average AGI for direct payments; and \$1 million nonfarm average AGI for conservation programs.

Participants in CCC programs subject to average AGI rules must submit form CCC-927 (Individual) and/or CCC-928 (Legal Entity) to the Internal Revenue Service by June 15 to avoid interruption of program benefits. These forms may be obtained from local FSA and NRCS offices or online at: <http://forms.sc.egov.usda.gov/eforms/mainervlet>.

Actively Engaged

USDA has amended the rules that govern the requirements to be "actively engaged" in farming. These rules apply to eligibility for payments under the Direct and Counter-cyclical Program (DCP) or Average Crop Revenue Election (ACRE) program administered by the FSA.

To be "actively engaged in farming," the individual or entity must make significant contributions to the farming operation of: (1) capital, equipment, land, or a combination; and (2) personal labor or active personal management, or a combination. For more information on how these provisions apply to your own situation, please contact our office.

Payment Limits & Direct Attribution

To qualify for commodity and disaster programs under the new farm bill, applicants now must adhere to new **Adjusted Gross Income (AGI)** restrictions. The AGI ceiling limitation was reduced from \$2.5 million from all sources to a three-year average **non-farm AGI of \$500,000**. Also, under the new regulations, an individual or entity must have a 3-year average AGI less than or equal to \$750,000 per year from farm income in order to qualify for

direct payments issued under the Direct and Counter-cyclical Program (DCP).

For conservation programs, the average non-farm AGI limitation is \$1 million or less for eligibility. However, an individual or entity who has non-farm AGI in excess of \$1 million remains eligible for conservation programs only if 66.66 percent or more of the total AGI is derived from farming, ranching and forestry operations. In addition, the AGI limitation for conservation programs may be waived on a case-by-case basis if it is determined that environmentally sensitive land of special significance would be protected.

Another change in eligibility is that program payments are limited by direct attribution of payment totals directly to individuals or indirectly to individuals through entities.

A legal entity is defined as an entity created under Federal or State law that owns land or an agricultural commodity, product or livestock. Through direct attribution, payment limitation is based on the total payments received by the entity and also the individual, both directly and indirectly as an officer, partner or shareholder in an entity. Qualifying spouses are eligible to be considered separate persons for payment limitation purposes, rather than being automatically combined under one limitation.

Program Payment Limitations for 2011:

Direct payments (DCP) \$40,000; Counter-cyclical payments (DCP) \$65,000; Noninsured Crop Disaster Assistance (NAP) \$100,000; Tree Assistance Program (TAP) \$100,000.

\$100,000 total combined for the following programs:

Supplemental Revenue Assistance Payment Program (SURE); Livestock Forage Assistance Program (LFP); Livestock Indemnity Program (LIP); Emergency Assistance for Livestock, Honey Bees and Farm-Raised Fish (ELAP).

Cash-Rent Tenant

For DCP/ACRE payments, A Cash-rent tenant means a producer that rents land from another producer for cash, or a guaranteed crop share, as the amount of the commodity to be paid in rent. A cash-rent tenant makes either of the following: a significant contribution of active personal labor to the farming operation; a significant contribution of both of the following to the farming operation; active personal management and equipment.

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**United States
Department of
Agriculture**

**PRESORTED STANDARD
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PERMIT #22**

Dates to Remember

May 30	Memorial Day Office Closed
June 1	DCP/ACRE Signup Deadline 2011 Farm Reconstitution Request Due
July 4	Independence Day Office Closed
July 15	Spring Seeded Crops, Permanent Crop Certification Deadline 2010 NAP Production Reporting Deadline
July 29	2009 SURE Signup Deadline

Selected Interest Rates for May 2011

Farm Operating Loans — Direct	2.625%
Farm Ownership Loans — Direct	5.000%
Farm Ownership – Direct Down Payment, Beginning Farmer or Rancher	1.50%
Emergency Loans - Actual Loss	3.750%

Foreign Person Rule

Before making any actively engaged in farming or other eligibly determinations, FSA must establish whether a person or legal entities' projected share in applicable program benefits, fall under the foreign persons rule.

A Foreign Entity is a corporation, trust, estate or other similar organization, that has more than 10% of its beneficial interest held by individuals who are **NOT** citizens of the US or are **NOT** a lawful alien possessing a valid Permanent Resident Card or Resident Alien Card

A Foreign Person means someone who is **NOT** a citizen of the US or are **NOT** a lawful alien possessing a valid Permanent Resident Card or Resident Alien Card

Any person applying for FSA benefits as an individual or through an entity is required to certify their United States citizenship. Producers who certify to being a lawful alien must submit valid proof. Acceptable proof of being a lawful alien would be a valid Permanent Resident or Resident Alien Card.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of 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, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (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 to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay). USDA is an equal opportunity provider and employer.