

News Updates

TAA DEADLINE ANNOUNCED

If you are a producer of a commodity, which has recently suffered from low prices due to increasing imports, you may be eligible for technical assistance and a financial payment under the Trade Adjustment Assistance Program. A petition must be filed to USDA's Foreign Agriculture Service (FAS) between August 15, 2006 and January 31, 2007 in order to receive benefits under the TAA.

Benefits under this program include cash payments and various educational benefits that can include occupational training. In prior years, TAA benefits have been provided to producers of blueberries, concord grapes, potatoes, lychees, avocados, and to fishermen of shrimp and salmon, to name a few.

The petition for benefits must be received by the TAA office by close of business January 31, 2007. The TAA office address is Foreign Agricultural Service, ITP/IPPD, MS-1021, Washington, DC 20250-1021, or facsimile number is (202) 720-0876, or by e-mail to trade.adjustment@fas.usda.gov. Use of fax or email is recommended.

For further information or assistance in completing form Fas-930, contact: Jean-Louis Pajot, Coordinator, Trade Adjustment Assistance for Farmers, FAS, USDA, (202) 720-2916, email: trade.adjustment@fas.usda.gov. Additional program information can be obtained at the TAA website. The URL is <http://www.fas.usda.gov/itp/taa/taaindex.htm>

County Committee Election

Just a reminder: Be watching your mailbox for your official county office committee election ballot starting early next month. Ballots will be mailed to all eligible voters on November 3. If you live in LAA 1 (South Half of Josephine County) and don't receive a ballot, feel free to notify the Jackson-Josephine county FSA office. (541) 776-4270. Completed and signed ballots are due back in the county office by 4:30 pm on Dec 4, 2006.

Biographies of Candidates in LAA #1

Suzy Ginnet: is nominated in LAA #1, Josephine County, to serve as COC member for a 3-year term. Suzy is currently the COC Chairperson. She resides near Williams, where she and her husband operate a family farm where they raise USDA Certified organic beef, hay & dairy replacement heifers, ODA certified wine grape seed stock & vineyard.

Dennis Harmon: is nominated in LAA #1, Josephine County, to serve as COC member for a 3-year term. He resides near Grants Pass, where he operates his family dairy. He also serves on the Grange Co-op's board of directors, and the Farm Credit advisory board.

Bob Crouse: is nominated in LAA #1, Josephine County, to serve as COC member for a 3-year term. He resides near Grants Pass, where he operates his family dairy and raises corn for silage.

Electronic LDP Service Available

If you are connected to the Internet, you can apply from home for an Electronic Loan Deficiency Payment, or eLDP, 24 hours a day, seven days a week, and receive approval and payment by direct deposit within 48 hours.

To participate in the service, you must meet all eligibility requirements for marketing assistance loans and LDPs for the commodity. The voluntary eLDP service has stringent security measures to protect your private information.

You must have an active USDA eAuthentication Level 2 account, which requires an e-mail address and filling out an online registration form at <http://www.eauth.egov.usda.gov/> followed by a visit to the county office for identity verification

FSA Farm Loans

The Farm Service Agency makes both direct and guaranteed farm ownership and operating loans to family-size farmers and ranchers who cannot obtain commercial credit from a bank, Farm Credit System institution or other lender. FSA loans can be used to purchase land, livestock, equipment, feed, seed and supplies. The loans can also be used to construct buildings or make farm improvements. If you're having trouble getting commercial credit, check with the county office staff about eligibility, as well as maximum loan amounts, rates, term and use of proceeds.

If you have Internet access, visit <http://www.fsa.usda.gov/daf1/default.htm> to learn more about FSA loans.

Jackson-Josephine County FSA

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OFFICE STAFF

Trent Luschen, CED
Donna Finch, PT
Diane Rabbe, PT

FSA COMMITTEE

Suzanne Ginnet, Chairman
Lori Mefford, Vice-Chairman
Mel Morris, Member

OFFICE HOURS

8:00 am-4:30 pm
Monday-Friday
PHONE: 776-4270 x 2
FAX: 776-4295

E-MAIL: Trent.Luschen@or.usda.gov

Website: www.fsa.usda.gov/or/jackson.html

Farm Service Agency online 

More and more FSA program applications and individual customer data are being made available through electronic communication, referred to as eGOV. Customers who would like to conduct their USDA business online via the Internet need to complete the following steps:

- 1) Access the USDA Website at www.eauth.egov.usda.gov and read the information provided there. It explains what constitutes a Level 1 Account and a Level 2 Account, and how to use either of them.
- 2) To conduct business with USDA electronically using the Internet, you will need to have a Level 2 Account which has a higher level of security. Follow the instructions to create a user ID and password, provide an email address, and create a customer user information profile.
- 3) You will receive a confirmation email within a few days and must respond to the email.
- 4) To complete the sign-up for the Level 2 Account, the producer must visit a USDA Office with a photo ID to authenticate identity.

After these steps are completed, you may access, complete, and submit forms online at www.sc.egov.usda.gov.

SIGNATURE AUTHORITY

The Farm Service Agency has always required signature authority to be on file for those signing in a fiduciary capacity. If you are any of the following entities you will have to have proper signing authority on file in the FSA office before signing any forms for FSA program purposes. Papers should show what person has authority to sign for the entity.

Corporation – provide copy of corporation by-laws & most recent annual minutes

Limited Liability Corporation – provide copy of LLC operating agreement

Partnership – provide partnership papers showing who has signing authority & that the member binds all other members

Trust's – provide a complete copy of trust papers or a certificate of trust

A Farm Service Agency Power of Attorney (FSA-211) – may be used if all members of the entity sign the FSA-211 with the exception of the trusts. Once the trust has established the signing authority, they may also use the FSA-211 to give authority to some one else to sign for the trust. When signing for an entity the person with signing authority should always sign "by" then your name and your position in the entity.

A husband or wife may sign FSA documents on behalf of the other unless written notification denying a spouse this authority has been filed.

CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

CREP offers incentives encouraging landowners to retire farmland on high priority environmental areas. Marginal pastureland along riparian buffers can be enrolled in CREP where a one-time sign-up incentive and practice incentive payments can be earned in addition to annual payments that are earned for the life of the contract. Contracts vary in length from 10 to 15 years.

Cost-shares are paid at 50% federal and 25% State for establishing riparian buffers. Cost-share items include site preparation, tree and shrub plantings, and fencing and alternative water facilities where livestock are present. The riparian buffer must be excluded from grazing or harvesting, and be allowed to function for wildlife and water quality concerns.

Incentives include: Sign-up Incentive Payment (SIP) of \$10/acre for each full year of the contract (not to exceed ten years); and Practice Incentive Payment (PIP) of 40% of the total eligible cost of establishing riparian buffers, filter strips, grass waterways and shallow water areas for wildlife.

For more information or questions call Trent or Donna @ (541)776-4270

WETLAND AND HIGHLY ERODIBLE COMPLIANCE

What you need to know and remember when participating in Farm Service Agency (FSA) and Natural Resources Conservation Service (NRCS) Programs !!

If you plan on cleaning a ditch, tiling a field or clearing trees and/or brush PLEASE call to check if the field or non-cropland area has a wetland and/or highly erodible determination on file. This step will save you a lot of stress by knowing up front if your proposed actions could possibly jeopardize your program eligibility with USDA.

Definition of Converted Wetland: Conversion or "convert" is draining, dredging, filling, leveling, or otherwise manipulating a wetland, including any activity that results in impairing or reducing the flow, circulation, or reach of water, for the purpose or to have the effect of making the production of an agricultural commodity without further application of the manipulations if:

- Such production would not have been possible without this action
- Before such action, this land was wetland or farmed wetland and was **not** HEL

WHAT IS HIGHLY ERODIBLE LAND COMPLIANCE ?

The 1985 Act, as amended, provides that, unless exempt, persons who produce an agriculture commodity on a field on which Highly Erodible Land (HEL) is predominate shall be ineligible for benefits under certain programs administered by USDA/FSA unless the producer has a conservation plan in place with NRCS and is actively following that plan.

Any questions please contact FSA or NRCS @ (541) 776-4270

DEFINITIONS OF TERMS

Agricultural Commodity: Is any crop planted and produced by annual tilling of the soil.

Highly Erodible Field: A field where HEL is predominant. 33.33 percent or more of the total field acreage is identified as soil map units which are highly erodible.

Conservation Plan: Applies to highly erodible cropland and describes the conservation system applicable to the highly erodible cropland, land use, tillage systems, and conservation treatment measures and schedules. Plan is approved by the local Soil and Water Conservation District (SWCD) and Natural Resources & Conservation Service NRCS.

Agriculture Foreign Investment Disclosure Act (AFIDA)

USDA regulations specify when foreign persons acquire or transfer an interest in US agricultural land, (crop, ranch, and timberland) such transactions shall be disclosed to the Secretary of Agriculture on AFIDA Report form FSA-153, within 90 calendar days of the date of transaction. Failure to report timely could result in a civil penalty of up to 25% of the fair market value of the interest held in the agriculture land.

Dates to Remember

Oct. 1 2007 DCP sign up began

Nov. 3 COC ballots mailed to voters

Nov. 10 Office closed in observance of Veterans Day

Nov. 23 Office closed in observance of Thanks Giving Day

Dec.4 Last day to return COC election ballots

Reminder: Wool LDP's are still available. Contact the office to apply for your LDP payment if you grow wool.

Payment Limitation Refresher

Payment limitation rules are not new to anyone who has participated in a FSA program. The total annual payments that a "person" may receive under agricultural programs has been in effect since enactment of the Agricultural Act of 1970. The 2002 Farm Bill authorized payments to which payment limitation and payment eligibility provisions were applicable and added a \$2.5 million average adjusted gross income limitation.

Payment limitations include Direct and Counter-cyclical Payment Program, \$40,000 for direct payments and \$65,000 for counter-cyclical payments; Conservation Reserve Program, \$50,000; Non-insured Crop Disaster Assistance Program, \$100,000; and \$75,000 per crop year for Loan Deficiency Payments.

Some of the basic actively engaged categories used in review by county office staff are:

"Person" Determinations A "person" for payment limitation purposes may be many things, including an individual; a limited liability partnership; a limited liability company; a corporation; a joint stock company; an association; a limited stock company; a limited partnership; an irrevocable trust; a revocable trust together with the grantor of the trust; an estate; a charitable organization; and a state, political subdivision or agency thereof.

For an individual or entity to be considered a separate "person," the individual or entity must have a separate and distinct interest in the land or crop involved, exercise separate responsibility for this interest and maintain funds or accounts separate from that of any other individual or entity for this interest.

Status Date The status of an individual or entity on April 1 of the applicable program year is the basis for determining the number of "persons" for payment limitation purposes for that year. Actions taken by an individual or entity after that date to increase the number of "persons" will not be recognized for the current program.

Actively Engaged in Farming A producer must be considered "actively engaged in farming" to be eligible for payments and benefits under some programs. Generally, in order to be considered "actively engaged in farming," the producer must provide significant contributions to the farming operation, which are commensurate to the claimed share of the farming operation and the contributions must be at risk.

General Rules A producer must make a significant contribution of capital land, and/or equipment to the farming operation as well as a significant contribution of active personal labor and/or active personal management. "Active personal labor" and "active personal management" are labor and management that are actually performed by the individual in question. The contribution of active personal management must be critical to the profitability of the farming operation, taking into consideration the individual or entity's commensurate share in the farming operation.

Cash-Rent Tenant Rule A cash-rent tenant will be ineligible to receive payment on the cash-rented land unless the tenant makes a significant contribution of active personal labor, or, if labor is not provided, a significant contribution of management together with a significant contribution of equipment to the farming operation.

Permitted Entities No person may receive payments subject to these rules from more than three entities in which the person holds substantial beneficial interest, generally 10 percent or more. If an individual receives payments as an individual, the individual may not also receive payment from more than two entities that receive payment as a separate "person." If an individual does not receive payment as an individual, the individual may not receive payment from more than three entities that receive payment as a separate "person."

Notification All entities earning payment subject to these rules must report to their local FSA committee the name, address and Social Security number of each individual who owns, either directly or indirectly, any interest in such entity. The entity also is required to inform all members of the entity of the rules regarding payment eligibility and permitted entities. A contract to participate in the applicable programs will not be considered complete until this information is provided.

Adjusted Gross Income An individual or entity shall not be eligible to receive certain program benefits during a crop, program or fiscal year if **both** of the following apply:

- the average adjusted gross income (AGI) for the three tax years immediately preceding the year for which benefits are requested exceeds \$ 2.5 million
- less than 75% of the average AGI is derived from farming, ranching or forestry operations

Farm Service Agency program benefits subject to limitation will not be disbursed until:

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

Producers are responsible for keeping the Farm Service Agency timely informed of any changes in their farming operation that may affect the payment limitation determinations.

Measurement Services Available

You can request a measurement service to determine exact acreage for reporting purposes. A paid measurement service guarantees official acreages for the crops on which the service is performed. Trained field personnel at FSA are using Global Positioning Systems that utilize satellite information to measure crop acreages. GPS information is used to determine field boundaries that in turn determine the crop acreages. This is one of the ways FSA is offering producers state of the art measurement technology. A more useful data base of information will be created to assist producers with productivity and efficiency.

Electronic LDP Service Available

Producers who are connected to the Internet can now stay home and apply for an Electronic Loan Deficiency Payment, or eLDP, 24 hours a day, seven days a week. You will receive approval and payment by direct deposit within 48 hours. If you have asked for a check instead of direct deposit, the mailing time will be added to the processing time.

To participate in the new service, you must meet all eligibility requirements for marketing assistance loans and LDPs for the commodity. The voluntary eLDP service has stringent security measures to protect your private information.

Unless you have requested a check, you must have an e-mail address, direct deposit, and set up a customer profile through our office or any Farm Service Agency office. To register, you can go to www.sc.egov.usda.gov and complete form CCC-634-E, "Request for Electronic Loan Deficiency Payment Services," or can obtain a form at the county office.

You must also have an active USDA eAuthentication Level 2 account, which requires filling out an online registration form at <http://www.eauth.egov.usda.gov> followed by a visit to the county office for identity verification.

2007 DCP Sign Up

Are you planning to participate in the 2007 Direct and Counter-cyclical Program? If so, contact the nearest FSA county office to sign a 2007 DCP contract (CCC-509). Sign up began Oct 1, 2006, and must be completed before June 1, 2007. (You can sign your contract after June 1 and before Sept. 30, 2007, but you will be assessed a late-signing fee of \$100.)

When you sign the CCC-509, you are agreeing to:

- comply with highly erodible land conservation and wetland conservation provisions on all your land;
- devote acreage equal to the base acreage to an agricultural or conserving use;
- effectively control noxious weeds and otherwise maintain base acres according to sound agricultural practices;
- not plant perennial fruits and vegetables or harvest annual FAVs (other than lentils, mung beans, and dry peas) or wild rice on base acres (Exceptions: Double-cropping covered commodities or peanuts with wild rice, fruits, or vegetables shall be permitted in any region in which there is a history of this type of double-cropping.);
- file acreage report with respect to all cropland on the farm; and
- notify the county office staff when there is a transfer of or change of interest of a producer.

The DCP contracts are not like the old seven-year Production Flexibility Contracts. You must designate shares and sign a new DCP contract each year.

"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."

USDA- FARM SERVICE AGENCY
Jackson/Josephine County
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