

**Kauai County
USDA Service
Center**

Kauai County FSA
4334 Rice Street,
Suite 103
Lihue, Hawaii, 96766
808-245-9014 Ext. 353
808-246-4639 (fax)

Hours
Monday - Friday
7:30 a.m. - 4:00 p.m.

County Committee
Philip D. B. Davies,
Chairperson
Thomas E. Runyan,
Vice-Chairperson
Sheila A. Louis,
Regular Member

Staff
County Executive
Director
Robert S. Ishikawa

Farm Program
Technician
Mary H. Pigao

Farm Loan Specialist
Terri Souza

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Foreign Buyers Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program for USDA.

All individuals who are not U.S. citizens, and have purchased or sold agricultural land in the county are required to report the transaction to FSA with 90 days of the closing. Failure to submit the AFIDA form (FSA-153) could result in civil penalties of up to 25 percent 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.

Controlled Substance

Any person who is 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. Prohibited plants include marijuana, opium, poppies and other drug producing plants.

Access to Programs and Facilities by Persons with Disabilities

Special accommodations will be made, upon request, for individuals with disabilities, vision impairment, or hearing impairment. If accommodations are required, please contact Robert S. Ishikawa, County Executive Director at (808) 245-9014 extension 104.

Civil Rights Complaint Process

Any person, class or group of persons may file a discrimination complaint within 180 days of an alleged discriminatory action. Complaints may be filed in writing or orally with the agency head, any designated agency official or the Secretary of Agriculture. Assistance in filing a complaint can be obtained by contacting any FSA office.

FSA Signature Policy

For FSA and Commodity Credit Corporation programs in which either has an interest, husbands and wives may sign documents on behalf of each other. 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, feel free to contact your local FSA office.



Payment Limitation and Payment Eligibility Requirement

Producers must file the applicable Farm Operating Plan (CCC-902) and related forms in order to receive most program benefits. All programs have payment limitation amounts that will set the maximum amount a producer can receive. Program benefits will not be provided until payment limit and eligibility determinations are complete. Applicants will be ineligible for payment until all required information is provided on completed forms.

There are statutory provisions that require entities earning program benefits to provide the names, addresses, and ID numbers of the entity's members.

All CCC-902's submitted by producers are subject to spot check review at the end of the year. A determination of not "actively engaged in farming" results in the producer being ineligible for benefits requiring a determination of "actively engaged in farming."

Conservation Compliance

Highly Erodible Land (HEL) and Wetland compliance is required to earn program benefits. This includes payments under the Noninsured Crop Disaster Assistance Program (NAP), Conservation Reserve Program (CRP), Supplemental Revenue Assistance Payments (SURE) Program, crop insurance and many other USDA programs. Farms with HEL soils need to be aware of tillage, crop residue, and rotation requirements spelled out in conservation plans. If you have any questions about the specifics of your conservation plan, stop by the Natural Resources Conservation Service office in Lihue. **Take the time now to make sure your farm is in compliance! Don't wait until the plow hits the ground!**

Banking and Accounting 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.

Power of Attorney

For those who find it difficult to visit the county office personally because of work schedules, distance, health, etc., FSA has a power of attorney form available that enables you to designate another person to conduct your business at the office. If you are interested, please contact our office or any Farm Service Agency office near you for more information

County Committee Election Results

Congratulations to Philip D.B. Davies was reelected to represent farmers of Local Administrative Area 3 on the county committee. Philip was elected to his second consecutive term. The election results for Local Administrative Area 3 are:

Philip D.B. Davies — Elected to the county committee (COC),

Barbara S. Shinoda — 1st alternate to COC,

FSA appreciates all of the voters for taking the time to complete the election ballot. The county committee system works only because of your participation.

The committee members held their organizational meeting in January and the results have been posted on this newsletter.

Appeals Process

After an FSA official makes a decision on your request for USDA services or application, you will be sent a letter informing you of the decision and options you can pursue if you disagree.

Generally, program participants have three choices — an informal review with the original agency decision-maker, an opportunity for mediation and finally an appeal to the next level of authority within the agency.

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