



Solano-Napa County Farm Service News

Farm Service Agency
Solano-Napa County
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Dixon, CA 95620

707-678-1931 voice
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www.fsa.usda.gov/ca

Hours

Monday - Friday
8:00 A – 4:30 P

County Committee

Craig Gnos, LAA 3
Linda Neal, LAA 1
Richard Hamilton, LAA 2

County Executive Director
Lynda Janne

Staff

Laura VanHoose
Bonita Nogales
Bob Currey
Jan Durante

For further details and to discuss your own operation's eligibility for any program, contact your nearest FSA local office.

For a list of local offices, visit www.fsa.usda.gov/ca

County Committee Election Results

Congratulations to Richard Hamilton! Richard was reelected to represent farmers from Local Administrative Area (LAA) 2 on the county committee. Richard was elected to his second consecutive term. Election results for LAA 2:

Richard Hamilton — Elected to the COC
Craig Nakahara – 1st alternate to COC

Craig Gnos will serve as Chairperson for 2009, and Linda Neal is Vice-Chair. Craig Nakahara was again selected as Advisor.

DCP Signup Underway

Signup continues for the 2009 Direct and Counter-cyclical Payment (DCP) Program for farms with base acres. The sign-up deadline has been extended to August 14. **All required signatures and leases must be on file by that date to be considered enrolled in the 2009 DCP.**

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. FSA will issue advance direct payments later this month. Counter-cyclical payment rates vary depending on market prices and are issued only when the effective price for a commodity is statutorily set below its target price.

Producers who are eligible for the DCP Program will also be eligible to enroll in the Average Crop Revenue Election (ACRE) Program. The enrollment period for the ACRE Program will begin soon. You may first enroll in the DCP Program, receive advance direct payments and then later modify your enrollment to include the ACRE program or you may wait and elect to enroll in DCP and ACRE at the same time.

More details on the ACRE program can be found at www.fsa.usda.gov. Click on Direct and Counter Cyclical Program/ACRE under "Browse by Subject"

PLEASE NOTE

The sign-up period has not yet been announced for the much-anticipated disaster programs for the 2008 crop year (ie: SURE, vineyard frost damage; LCP, drought). Our most recent information suggests it may be fall before we receive procedure for these programs. Once sign-up is announced, producers will immediately be notified through newsletters, press releases, post-cards and personal contact.

MILC Sign Up Underway

Signup for the Milk Income Loss Contract Program (MILC) is underway and will continue through the program's expiration date, Sept. 30, 2012.

The 2008 Farm Bill reauthorizes the MILC Program, which operates similarly to the counter-cyclical payment program for crops, and makes three key changes in program operation. Under the Farm Bill, the MILC payment rate and the per-operation poundage limit are modified, depending on when the milk is produced. In addition, a "feed cost adjuster," is introduced over the life of the 2008 Act, which adjusts the \$16.94 per hundredweight (cwt.) benchmark price upward depending on the cost of feed rations. When available, MILC payments are based on a payment rate percentage that is multiplied by the difference between a now-flexible target (\$16.94 per cwt. or higher) and the specific month's Boston Class I price of milk.

The 2008 Farm Bill made changes to the provisions for payment eligibility and adjusted gross income (AGI). If the individual or entity has non-farm AGI greater than \$500,000, the individual or entity is not eligible for MILC benefits.

Buy-In Eligibility until 5/18/09

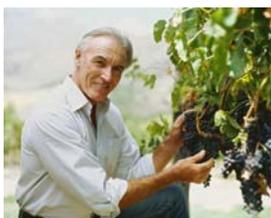
The recently approved American Recovery and Reinvestment Act of 2009 (ARRA) allows producers to become eligible for 2008 disaster assistance authorized by the 2008 Farm Bill even if they did not previously obtain otherwise statutorily required crop insurance from the Federal Crop Insurance Corporation (FCIC) or Non-insured Crop Disaster Assistance Program (NAP) coverage for 2008 by now paying a buy-in fee through May 18, 2009.

Paying such a buy-in fee does not provide the producer with crop insurance or NAP for the 2008 crop year; it merely permits the producer to become eligible for the 2008-crop disaster assistance programs.

Producers who have not already taken the necessary steps to become eligible for the Supplemental Revenue Assistance Program (SURE), Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish (ELAP), and the Tree Assistance Program (TAP) may now become eligible for such programs by completing the following steps by May 18, 2009:

- Paying a \$100 buy-in fee per crop. The maximum fee for insurable or non-insurable crops is \$300 per county, per producer, not to exceed \$900 for multi-county producers.
- In the case of each insurable crop (those for which insurance is available from FCIC), excluding grazing land, agreeing to obtain a policy or plan of insurance for the next insurance year for which crop insurance is available; coverage level should equal 70 percent or more of the yield at 100 percent of the price.
- In the case of each non-insurable crop, agreeing to file the required paperwork and pay the applicable administrative NAP coverage fee by the applicable state application closing date for the next available year.

Producers who choose to buy in under this provision will be considered, for insured crops for the 2008 Farm Bill disaster assistance programs only, to have obtained a policy or plan of insurance for the 2008 crop year at a level of coverage not to exceed 70 percent of the yield at 100 percent of the price. For non-insurable crops for the 2008 Farm Bill disaster programs only, producers will be considered to have a level of coverage equal to 70 percent of the yield. These levels of coverage will be used to calculate the 2008 SURE guarantee. Producers who buy in will not be eligible for actual crop insurance or NAP benefits for the 2008 crop.



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 nonfarm 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.

Also, individuals and entities must be "actively engaged in farming" with respect to a farming operation in order to be eligible for specified payments and benefits. 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.

Special Accommodations

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact the county FSA office staff directly or by phone.



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.

Foreign persons who 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 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.

NAP Basic Provisions Now Available

The Non Insured Assistance Program (NAP) now has basic provisions available as CCC-471 NAP BP. This document provides general information on the NAP process for producers purchasing coverage for 2009 and later years.

The form may be accessed through the FSA web site (<http://www.fsa.usda.gov>) under "Disaster Assistance Programs", then "View NAP Basic Provision" under "I want to . . ."

FSA Signature Policy

Using the correct signature when doing business with FSA can save time and prevent a delay in program benefits. FSA signature guidelines:

- A married woman shall sign her given name: Mrs. Mary Doe, not Mrs. John Doe
- For a minor, FSA requires the minor' signature and one from an eligible parent. Note, by signing the applicable document, the parent is liable for actions of the minor and may be liable for refunds,

liquidated damages, etc

- When signing on one's behalf the signature must agree with the name typed or printed on the form, or be a variation that does not cause the name and signature to be in disagreement. Example - John W. Smith is on the form. The signature may be John W. Smith or J.W. Smith or J. Smith. Or Mary J. Smith may be signed as Mrs. Mary Joe Smith, M.J. Smith, Mary Smith, etc
- FAXED signatures will be accepted for certain forms and other documents provided the acceptable program forms are approved for FAXED signatures. Producers are responsible for the successful transmission and receipt of FAXED information. Examples of documents **not** approved for FAXED signatures include:
 - Promissory note
 - Assignment of payment
 - Joint payment authorization
 - NAP actual production history and approved yield record
 - Acknowledgement of commodity certificate purchase
 - Financing statement
 - UCC financing statement
- Spouses may sign documents on behalf of each other for FSA and CCC programs in which either has an interest, unless written notification denying a spouse this authority has been provided to the county office
- Spouses shall not sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations, or other similar entities
- All members of a general partnership must sign for the general partnership unless an individual is authorized to act on the behalf of the general partnership and bind all members
- Spouses may sign on behalf of each other's individual interest in a partnership, unless notification denying a spouse that authority is provided to the county office
- Acceptable signatures for general partnerships, joint ventures, corporations, estates, and trusts shall consist of an indicator "by" or "for" the individual's name, individual's name and capacity, or individual's name, capacity, and name of entity

Power of Attorney

If you experience difficulties visiting the county office because of work schedules, distance, health or other reasons, 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.





IMPORTANT DATES

APR 30	Deadline for timely filed fall-seeded acreage reports
MAY 18	New Deadline for Buy-In Eligibility
JUL 15	Last Day to timely file spring-seeded/perennial acreage reports
AUG 1	Last Day to request farm reconstitution
AUG 15	Deadline for 2009 DCP/ACRE Enrollment

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its program 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 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, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.