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Oregon State FSA Newsletter

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USDA Improves Access to Capital for Tribal Farmlands with Multiple Owners

New Program Allows More Farm Loans for "Highly Fractionated" Tribal Land

USDA is expanding the availability of farm loans for Indian tribes and members to purchase tribal farmland that has multiple owners. The improved lending opportunities are possible due to new authority granted by the 2014 Farm Bill, which allows USDA to provide revolving loan funds to qualified intermediary lenders that can relend the funds to qualified tribes and individuals.

As a direct result of more than a dozen tribal meetings across the country, USDA is able to implement a solution to a longstanding barrier to financing, which will increase the availability of farm loans

Vernon Frederickson,
Member

to Native Americans who want to start or expand a farming or ranching operation on Indian lands.

Division Chiefs:

Bob Perry, Farm Loan Chief
Dan LoFaro, Chief
Administrative Officer
Charles Newhouse, Acting
Farm Program Chief

Under the [1887 Dawes Act](#), Indian reservation land was divided and allotted to individual tribal members such that with the passing of each generation, title ownership was divided and parceled among heirs, while the land was not. As a result, land once owned by a single person could today be owned by hundreds or thousands of individuals, resulting in what is known as “highly fractionated Indian land.” In many instances, landowners are unknown or cannot be located, which complicates the coordination of ownership or prevents the use of the property altogether. There are more than 245,000 owners of three million fractionated land interests, spanning approximately 150 Indian reservations.

Next State Committee

Meeting: November
30 through December 1, 2016

To find contact information for your local office go to www.fsa.usda.gov/or

Under the rules published today, USDA will now allow tribes and tribal members to submit a farm loan application to an intermediary lender. To participate, intermediary lenders first must be approved by USDA. The lenders may be private and tribal nonprofit corporations, public agencies, Indian tribes, or lenders subject to federal or state regulation (such as a credit union or other financial institution). FSA will lend to the intermediary, which will relend to the applicant. The intermediary lender also will administer the loan for the applicant.

Final Planting Dates

All producers are encouraged to contact their local FSA office for more information on the final planting date for specific crops. The final planting dates vary by crop, planting period and county so please contact your local FSA office for a list of county-specific planting deadlines. The timely planting of a crop, by the final planting date, may prevent loss of program benefits.

For more information, visit www.fsa.usda.gov/farmloans or contact the local FSA county office. To find the local FSA office, visit <http://offices.usda.gov>.

MAL and LDP Policy Changes for Crop Years 2015-2018

The Agricultural Act of 2014 authorized 2014-2018 crop year Marketing Assistance Loans (MALs) and Loan Deficiency Payments (LDPs), with a few minor policy changes.

Among the changes, farm-stored MAL collateral transferred to warehouse storage will retain the original loan rate, be allowed to transfer only the outstanding farm-stored quantity with no additional quantity allowed and will no longer require producers to have a paid for measurement service when moving or commingling loan collateral.

MALs and LDPs provide financing and marketing assistance for wheat, feed grains, soybeans, and other oilseeds, pulse crops, rice, peanuts, cotton, wool and honey. MALs provide producers interim financing after harvest to help them meet cash flow needs without having to sell their commodities when market prices are typically at harvest-time lows. A producer who is eligible to obtain a loan,

but agrees to forgo the loan, may obtain an LDP if such a payment is available. Marketing loan provisions and LDPs are not available for sugar and extra-long staple cotton.

FSA is now accepting requests for 2016 MALs and LDPs for all eligible commodities after harvest.

Before MAL repayments with a market loan gain or LDP disbursements can be made, producers must meet the requirements of actively engaged in farming, cash rent tenant and member contribution.

Commodity certificates are available to loan holders who have outstanding nonrecourse loans for wheat, upland cotton, rice, feed grains, pulse crops (dry peas, lentils, large and small chickpeas), peanuts, wool, soybeans and designated minor oilseeds. These certificates can be purchased at the posted county price (or adjusted world price or national posted price) for the quantity of commodity under loan, and must be immediately exchanged for the collateral, satisfying the loan. MALs redeemed with commodity certificates are not subject to the actively engaged in farming, cash-rent tenant, Adjusted Gross Income provisions or the payment limitation.

To be considered eligible for an LDP, producers must have form [CCC-633EZ](#), Page 1 on file at their local FSA Office before losing beneficial interest in the crop. Pages 2, 3 or 4 of the form must be submitted when payment is requested.

The 2014 Farm Bill also establishes payment limitations per individual or entity not to exceed \$125,000 annually on certain commodities for the following program benefits: price loss coverage payments, agriculture risk coverage payments, marketing loan gains (MLGs) and LDPs. These payment limitations do not apply to MAL loan disbursements or redemptions using commodity certificate exchange.

Adjusted Gross Income (AGI) provisions were modified by the 2014 Farm Bill, which states that a producer whose total applicable three-year average AGI exceeds \$900,000 is not eligible to receive an MLG or LDP. Producers must have a valid CCC-941 on file to earn a market gain of LDP. The AGI does not apply to MALs redeemed with commodity certificate exchange.

For more information and additional eligibility requirements, please visit a nearby USDA Service Center or FSA's website www.fsa.usda.gov.

Dairy Producers Can Enroll to Protect Milk Production Margins

USDA Farm Service Agency (FSA) reminds dairy producers to enroll for 2017 coverage in the Margin Protection Program for Dairy (MPP-Dairy) by Sept. 30, 2016. The voluntary program, established by the 2014 Farm Bill, provides financial assistance to participating dairy producers when the margin – the difference between the price of milk and feed costs – falls below the coverage level selected by the producer.

The Margin Protection Program gives participating dairy producers the flexibility to select coverage levels best suited for their operation. Enrollment began July 1 and ends on Sept. 30, 2016, for coverage in calendar year 2017. Participating farmers will remain in the program through 2018 and pay a minimum \$100 administrative fee each year. Producers have the option of selecting a different coverage level during open enrollment each year.

USDA has a web tool to help producers determine the level of coverage under the Margin Protection Program that will provide them with the strongest safety net under a variety of conditions. The online resource, available at www.fsa.usda.gov/mpptool, allows dairy farmers to quickly and

easily combine unique operation data and other key variables to calculate their coverage needs based on price projections. Producers can also review historical data or estimate future coverage needs, based on data projections. The secure site can be accessed via computer, Smartphone or tablet 24 hours a day, seven days a week.

To complete enrollment, producers must make coverage elections during the enrollment period and pay the annual \$100 administrative fee that provides basic catastrophic protection that covers 90 percent of milk production at a \$4 margin coverage level. For additional premiums, operations can protect 25 to 90 percent of production history with margin coverage levels from \$4.50 to \$8, in 50 cent increments. Once enrolled, dairy operations are required to participate through 2018 by making coverage elections each year. Producers can mail the appropriate form to the producer's administrative county FSA office, along with applicable fees without necessitating a trip to the local FSA office. If electing higher coverage for 2017, dairy producers can either pay the premium in full at the time of enrollment or pay 100 percent of the premium by Sept. 1, 2017. Premium fees may be paid directly to FSA or producers can work with their milk handlers to remit premiums on their behalf.

On July 1, 2016, FSA started accepting applications for intergenerational transfers, allowing program participants who added an adult child, grandchild or spouse to the operation during calendar year 2014 or 2015, or between Jan. 1 and June 30, 2016, to increase production history by the new cows bought into the operation by the new family members. For intergenerational transfers occurring on or after July 1, 2016, notification to FSA must be made within 60 days of purchasing the additional cows.

Dairy operations enrolling in the new program must meet conservation compliance provisions and cannot participate in the Livestock Gross Margin Dairy Insurance Program.

For more information, visit FSA online at www.fsa.usda.gov/dairy or stop by a local FSA office to learn more about the Margin Protection Program. To find a local FSA office in your area, visit <http://offices.usda.gov>.

FSA Offers Improved Program to Limit Losses on Forages

Reduced forage quality is now considered a production loss for weather disaster assistance coverage under the new buy-up provisions of the Farm Service Agency (FSA) Noninsured Crop Disaster Assistance Program (NAP).

This safety net is important for cattlemen who produce non-insurable forages for feeding livestock. Previously, FSA only considered a decrease in overall forage tonnage produced when determining if the producer suffered a compensable loss after a qualifying weather event. Under FSA's new NAP buy-up provisions, a decrease in forage quality – such as protein content – is also considered.

To receive coverage for the 2017 crop year, producers must enroll their eligible forage in NAP by November 30, 2016. Beginning, limited resource and targeted underserved farmers or ranchers are eligible for a waiver of the NAP service fee and a 50 percent premium reduction in buy-up provisions.

For more information on NAP, visit www.fsa.usda.gov/nap.

USDA Offers Help to Fire-Affected Farmers and Ranchers

The [U.S. Department of Agriculture](#) (USDA) reminds farmers and ranchers affected by the recent wildfires in Alaska, California, Idaho, Oregon, Montana and Washington State that USDA has programs to assist with their recovery efforts.

The [Farm Service Agency](#) (FSA) can assist farmers and ranchers who lost livestock, grazing land, fences or eligible trees, bushes and vines as a result of a natural disaster. FSA administers a suite of safety-net programs to help producers recover from eligible losses, including the [Livestock Indemnity Program](#), the [Livestock Forage Disaster Program](#), [the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program](#), and the [Tree Assistance Program](#).

In addition, the FSA [Emergency Conservation Program](#) provides funding and technical assistance for farmers and ranchers to rehabilitate farmland damaged by natural disasters and for carrying out emergency water conservation measures in periods of severe drought. Producers located in counties that received a primary or contiguous disaster designation are eligible for low-interest [emergency loans](#) to help them recover from production and physical losses. Compensation is also available to producers who purchased coverage through the [Noninsured Crop Disaster Assistance Program](#), which protects non-insurable crops against natural disasters that result in lower yields, crop losses or prevented planting.

The [Natural Resources Conservation Service](#) (NRCS) can assist producers with damaged grazing land as well as farmers, ranchers and forestland owners who find themselves in emergency situations caused by natural disasters. The NRCS [Environmental Quality Incentives Program](#) provides financial assistance to producers who agree to defer grazing on damaged land for two years. In the event that presidentially declared natural disasters, such as wildfires, lead to imminent threats to life and property, NRCS can assist local government sponsors with the cost of implementing conservation practices to address natural resource concerns and hazards through the [Emergency Watershed Protection Program](#).

Farmers and ranchers with coverage through the federal crop insurance program administered by the [Risk Management Agency](#) (RMA) should contact their crop insurance agent to discuss losses due to fire or other natural causes of loss. Crop insurance is sold and delivered solely through private crop insurance agents. A list of crop insurance agents is available at all USDA Service Centers and online at the RMA [Agent Locator](#).

When wildfires destroy or severely damage residential property, [Rural Development](#) (RD) can assist with providing priority hardship application processing for single family housing. Under a disaster designation, RD can issue a priority letter for next available multi-family housing units. RD also provides low-interest loans to community facilities, water environmental programs, businesses and cooperatives and to rural utilities.

For the first time in its 110-year history, the [Forest Service](#), part of USDA, is spending more than 50 percent of its budget to suppress the nation's wildfires.

Today, fire seasons are 78 days longer than in the 1970s. Since 2000, at least 10 states have had their largest fires on record. **This year, there have been more than 46,000 fires.** Increasing development near forest boundaries also drives up costs, as more than 46 million homes and more than 70,000 communities are at risk from wildfire in the United States.

Visit <http://go.usa.gov/3eDeF> to learn more about USDA disaster preparedness and response. For more information on USDA disaster assistance programs, please contact your local USDA Service Center. To find your local USDA Service Center go to <http://offices.usda.gov>

USDA Approves Emergency Forest Restoration Assistance for Lane, Linn, Benton and Lincoln Counties

USDA Farm Service Agency (FSA) is approved to accept applications for the Emergency Forest Restoration Program (EFRP) to address drought/wildfire damages in the following counties in Oregon: Lane, Linn, Benton and Lincoln Counties.

EFRP provides payments to eligible owners of nonindustrial private forest (NIPF) land to enable the owners to carry out emergency measures to restore land damaged by a natural disaster. For information on EFRP sign-up dates, please contact the Linn or Lane County FSA Office.

After applications are received, technical assistance will be provided by evaluating the damage and developing a plan to restore the NIPF land. The local FSA county committee will determine land eligibility and approve applications.

In order to meet eligibility requirements, NIPF land must have existing tree cover or had tree cover immediately before the natural disaster occurred and be sustainable for growing trees. The land must also be owned by any nonindustrial private individual, group, association, corporation or other private legal entity that has definitive decision-making authority over the land. The natural disaster must have resulted in damage that if untreated would impair or endanger the natural resources on the land and/or materially affect future use of the land.

Please contact the Linn-Benton-Lincoln or Lane County FSA office for more information or visit <http://disaster.fsa.usda.gov>. Oregon County FSA Office phone numbers and email addresses are available at the following link: www.fsa.usda.gov/or

Tree Assistance Program (TAP) Sign-up

Orchardists and nursery tree growers who experience losses from natural disasters during calendar year 2016 must submit a TAP application either 90 calendar days after the disaster event or the date when the loss is apparent. TAP was authorized by the Agricultural Act of 2014 as a permanent disaster program. TAP provides financial assistance to qualifying orchardists and nursery tree growers to replant or rehabilitate eligible trees, bushes and vines damaged by natural disasters.

Eligible tree types include trees, bushes or vines that produce an annual crop for commercial purposes. Nursery trees include ornamental, fruit, nut and Christmas trees that are produced for commercial sale. Trees used for pulp or timber are ineligible.

To qualify for TAP, orchardists must suffer a qualifying tree, bush or vine loss in excess of 15 percent mortality from an eligible natural disaster. The eligible trees, bushes or vines must have been owned when the natural disaster occurred; however, eligible growers are not required to own the land on which the eligible trees, bushes and vines were planted.

If the TAP application is approved, the eligible trees, bushes and vines must be replaced within 12 months from the date the application is approved. The cumulative total quantity of acres planted to trees, bushes or vines, for which a producer can receive TAP payments, cannot exceed 500 acres annually.

Livestock Forage Losses - Lake County

Producers in Lake County are eligible to apply for 2016 Livestock Forage Disaster Program (LFP) benefits on small grain, native pasture, improved pasture, annual ryegrass, forage sorghum.

LFP provides compensation to eligible livestock producers who suffer grazing losses for covered livestock due to drought on privately owned or cash leased land or fire on federally managed land.

County committees can only accept LFP applications after notification is received by the National Office of qualifying drought or if a federal agency prohibits producers from grazing normal permitted livestock on federally managed lands due to qualifying fire.

Eligible livestock producers must complete a CCC-853 and the required supporting documentation no later than January 30, 2017 for 2016 losses.

Additional Information about LFP, including eligible livestock and fire criteria, is available at your local FSA office or online at: www.fsa.usda.gov.

Producers are Encouraged to Report Prevented Planting and Failed Acres

USDA Farm Service Agency (FSA) reminds producers to report prevented planting and failed acres in order to establish or retain FSA program eligibility for some programs.

Producers should report crop acreage they intended to plant, but due to natural disaster, were prevented from planting. Prevented planting acreage must be reported on form CCC-576, Notice of Loss, no later than 15 calendar days after the final planting date as established by FSA and Risk Management Agency (RMA).

Contact your local FSA office for a list of final planting dates by crop.

If a producer is unable to report the prevented planting acreage within the 15 calendar days following the final planting date, a late-filed report can be submitted. Late-filed reports will only be accepted if FSA conducts a farm visit to assess the eligible disaster condition that prevented the crop from being planted. A measurement service fee will be charged.

Additionally, producers with failed acres should also use form CCC-576, Notice of Loss, to report failed acres.

Producers of hand-harvested crops must notify FSA of damage or loss through the administrative County Office within 72 hours of the date of damage or loss first becomes apparent. This notification can be provided by filing a CCC-576, email, fax or phone. Producers who notify the County Office by any method other than by filing the CCC-576 are still required to file a CCC-576, Notice of Loss, within the required 15 calendar days.

For losses on crops covered by the Non-Insured Crop Disaster Assistance Program (NAP), producers must file a Notice of Loss within 15 days of the occurrence of the disaster or when losses become apparent. Producers must timely file a Notice of Loss for failed acres on all crops including grasses.

USDA Offers Targeted Farm Loan Funding for Underserved Groups and Beginning Farmers

The USDA Farm Service Agency (FSA) reminds producers that FSA offers targeted farm ownership and farm operating loans to assist underserved applicants as well as beginning farmers and ranchers.

USDA defines underserved applicants as a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of the group without regard to their individual qualities. For farm loan program purposes, targeted underserved groups are women, African Americans, American Indians and Alaskan Natives, Hispanics and Asians and Pacific Islanders.

Underserved or beginning farmers and ranchers who cannot obtain commercial credit from a bank can apply for either FSA direct loans or guaranteed loans. Direct loans are made to applicants by FSA. Guaranteed loans are made by lending institutions who arrange for FSA to guarantee the loan. FSA can guarantee up to 95 percent of the loss of principal and interest on a loan. The FSA guarantee allows lenders to make agricultural credit available to producers who do not meet the lender's normal underwriting criteria.

The direct and guaranteed loan program provides for two types of loans: farm ownership loans and farm operating loans. In addition to customary farm operating and ownership loans, FSA now offers Microloans through the direct loan program. The focus of Microloans is on the financing needs of small, beginning farmer, niche and non-traditional farm operations. Microloans are available for both ownership and operating finance needs. To learn more about microloans, visit www.fsa.usda.gov/microloans.

To qualify as a beginning producer, the individual or entity must meet the eligibility requirements outlined for direct or guaranteed loans. Additionally, individuals and all entity members must have operated a farm for less than 10 years. Applicants must materially or substantially participate in the operation.

For more information on FSA's farm loan programs and targeted underserved and beginning farmer guidelines, visit www.fsa.usda.gov/farmloans.

Farmers to Receive Documentation of USDA Services

Farm Service Agency (FSA) reminds agricultural producers that FSA provides a receipt to customers who request or receive assistance or information on FSA programs.

The 2014 Farm Bill requires a customer receipt to be issued for any agricultural program assistance requested from FSA, the National Resources Conservation Service (NRCS) and Rural Development (RD). Receipts include the date, summary of the visit and any agricultural information, program and/or loan assistance provided to an individual or entity. Electronic receipts for acreage reports will begin on August 1, 2016.

A service is any information, program or loan assistance provided whether through a visit, email, fax or letter.

Selected Interest Rates - August 2016

90 Day Treasury Bill = 0.250 %

Farm Operating Loans - Direct = 2.125 %

Farm Ownership Loans - Direct = 3.125 %

Farm Ownership Loans - Direct Downpayment, Beginning Farmer or Rancher = 1.500 %

Emergency Loans = 3.125 %

Farm Storage Facility Loans

(7 years) = 1.375 %

(10 years) = 1.500 %

(12 years) = 1.625 %

Commodity Loans = 1.500 %

Important Dates and Deadlines

September 30 - Deadline for Registration and Annual Election in the Margin Protection Program (MPP) for 2017 Dairy Producers.

November 30 - Deadline to Enroll Eligible Forage in the NAP program.

December 5 - Deadline for County Committee Elections Voted Ballots to be Returned to the County Office or Postmarked.

January 30, 2017 - Deadline for Lake County Producers to File a Livestock Forage Program (LFP) Application

USDA is an equal opportunity provider, employer and lender. To file a complaint of discrimination, write: USDA, Office of the Assistant Secretary for Civil Rights, Office of Adjudication, 1400 Independence Ave., SW, Washington, DC 20250-9410 or call (866) 632-9992 (Toll-free Customer Service), (800) 877-8339 (Local or Federal relay), (866) 377-8642 (Relay voice users).