

October 2017



Farm Service Agency **Electronic News Service**

NEWSLETTER

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North Dakota FSA e-News

North Dakota Farm Service Agency

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2016 ARC and PLC Payments

Payments for the 2016 ARC and PLC program, if payments are triggered, are scheduled to be made in October for wheat, barley, oats, corn, grain sorghum, soybeans, canola, dry peas and lentils. 2016 ARC and PLC payments, if triggered, are scheduled to be paid in December for garbanzo beans and minor oilseeds, including sunflowers.

The final payment rates for crops triggering PLC payments are dependent on the 2016 marketing year average price. The final payments rates for crops triggering ARC-CO payments are dependent upon each

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crop's county average yield and the 2016 marketing year average price.

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Conservation Reserve Program Annual Payments

October is the month in which FSA County Offices issue annual CRP rental payments. CRP participants should be looking for these payments in your bank account in the coming weeks. If you feel your payment has not been issued, please contact your local FSA office to see what the delay could be.

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USDA Encourages Producers to Consider Risk Protection Coverage before Crop Sales Deadlines

The Farm Service Agency encourages producers to examine available USDA crop risk protection options, including federal crop insurance and Noninsured Crop Disaster Assistance Program (NAP) coverage, before the applicable crop sales deadline.

Producers are reminded that crops not covered by insurance may be eligible for NAP. The 2014 Farm Bill expanded NAP to include higher levels of protection. Beginning, underserved and limited resource farmers are now eligible for free catastrophic level coverage, as well as discounted premiums for additional levels of protection."

Federal crop insurance covers crop losses from natural adversities such as drought, hail and excessive moisture. NAP covers losses from natural disasters on crops for which no permanent federal crop insurance program is available, including perennial grass forage and grazing crops, fruits, vegetables, mushrooms, floriculture, ornamental nursery, aquaculture, turf grass, ginseng, honey, syrup, bioenergy, and industrial crops.

Producers can determine if crops are eligible for federal crop insurance or NAP by visiting <https://webapp.rma.usda.gov/apps/actuarialinformationbrowser2017/CropCriteria.aspx>. NAP basic coverage is available at 55 percent of the average market price for crop losses that exceed 50 percent of expected production, with higher levels of coverage, up to 65 percent of their expected production at 100 percent of the average market price, including coverage for organics and crops marketed directly to consumers.

Deadlines for coverage vary by state and crop. To learn more about NAP visit www.fsa.usda.gov/nap or contact your local USDA Service Center. To find your local USDA Service Centers go to <http://offices.usda.gov>.

Federal crop insurance coverage is sold and delivered solely through private insurance agents. Agent lists are available at all USDA Service Centers or at USDA's online Agent Locator: <http://prodwebnlb.rma.usda.gov/apps/AgentLocator/#>. Producers can use the USDA Cost Estimator, <https://ewebapp.rma.usda.gov/apps/costestimator/Default.aspx>, to predict insurance premium costs.

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Fall Acreage Reporting Deadline

Producers with the following crops have a reporting deadline of November 15th for both FSA and RMA purposes: apiculture, perennial forage, PRF, rye, and all other fall-seeded small grains. Therefore, the aforementioned crops must be reported by **November 15, 2017** to be considered timely filed for program year 2018.

Producers seeking eligibility for the Livestock Forage Disaster Program (LFP) in eligible Counties, must have a 2017 acreage report on file for all grazing land. Producers who failed to timely report their grazing acres by the November 15, 2016 deadline for 2017 program year must complete a late-filed acreage report within one year of the missed deadline or prior to **November 15, 2017**. No extensions to the one year reporting deadline for late-filed acreage reports for grazing acreage shall be authorized. Contact your local county office for additional information relative to late-filed acreage reports.

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Livestock Forage Losses

Producers with land physically located in the following counties are eligible to apply for 2017 Livestock Forage Disaster Program (LFP) benefits on small grain for grazing, native pasture, improved pasture, forage sorghum for grazing:

Adams, Billings, Bottineau, Bowman, Burke, Burleigh, Dickey, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, LaMoure, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Pierce, Renville, Sheridan, Sioux, Slope, Stark, Ward and Williams.

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.

Eligible livestock producers must complete a CCC-853 and the required supporting documentation no later than January 30, 2018 for 2017 losses. In addition to the LFP application, the livestock producer must also have a timely filed 2017 acreage report for all interests in grazing lands. The deadline to file a 2017 acreage report for grazing lands is **November 15, 2017**.

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

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Emergency Livestock Assistance Program

Producers with land physically located in the following counties are eligible to apply for 2017 Emergency Livestock Assistance Program (ELAP) benefits for costs incurred for hauling water to eligible livestock:

Adams, Billings, Bowman, Burke, Burleigh, Dickey, Divide, Dunn, Emmons, Golden Valley, Grant, Hettinger, Kidder, LaMoure, Logan, McHenry, McIntosh, McKenzie, McLean, Mercer, Morton, Mountrail, Oliver, Renville, Sheridan, Sioux, Slope, Stark, Ward and Williams.

Livestock producers who are hauling water to livestock may be eligible for assistance under the Emergency Livestock Assistance Program (ELAP). Producers must submit a notice of loss to their

local FSA Office within 30 days of starting to haul water. Producers should also keep good records of the method used to transport the water, the number of gallons of water hauled, and the number and kind of livestock watered as well as the number of days water was hauled. Please note that water being hauled to CRP acres grazed under Emergency Grazing provisions is not eligible for this program.

The deadline for producers to make a 2017 application for ELAP benefits is **November 1, 2017**. Producers must submit all supporting documentation to substantiate losses, beginning and ending inventory, and other such documentation, as applicable.

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2017 Crop – NAP Notice of Loss

The CCC-576, Notice of Loss, is used to report failed acreage and prevented planting and may be completed by any producer with an interest in the crop. Timely filing a Notice of Loss is required for all crops including grasses. For losses on crops covered by the Non-Insured Crop Disaster Assistance Program (NAP), you must file a CCC-576, Notice of Loss, in the FSA County Office within 15 days of the occurrence of the disaster or when losses become apparent or 15 calendar days after the normal harvest date. In addition, if a producer is going to abandon a crop with NAP coverage, the crop must be appraised prior to destruction of the acreage to ensure coverage. Producers with NAP coverage on grazing land should also file a notice of loss if they have suffered a loss in grazing capacity on pastures.

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.

If filing for prevented planting, an acreage report and CCC-576 must be filed within 15 calendar days of the final planting date for the crop.

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Average AGI Limitation

With the passage of the 2014 Farm Bill, a new AGI limitation has been established for program eligibility purposes. If the participant's average AGI exceeds \$900,000 (farm and nonfarm), the person or legal entity will be ineligible for payments and benefits as follows for the respective programs/years:

- **October 2, 2011, and subsequent years – LIP, LFP, ELAP, and TAP**
- **2014 and subsequent years – NAP**
- **2014 through 2018 – ARC, PLC, LDP, and MLG**
- **2015 and subsequent years – Conservation-related programs**

The average AGI is based on the average of adjusted gross income for the 3 taxable years preceding the most immediately preceding complete taxable year. For the 2017 program year, for example, the 3 taxable years for AGI purposes would include 2013, 2014, and 2015.

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Payment Limitations

The method in which FSA limits payments for program years 2014 through 2018 will continue to be via direct attribution. Direct attribution means that payments to legal entities, such as corporations, limited partnerships, limited liability companies, and other similar entities, are limited by attributing the payment to an individual based on his/her direct and indirect interest in the entity.

The following are program limitations for the 2014 through 2018 program years:

Program	Limit
Price Loss Coverage (PLC), Agriculture Risk Coverage (ARC), LDP's & MLG's	\$125,000.00
CRP	\$50,000.00
LIP, LFP, & ELAP	\$125,000.00
NAP	\$125,000.00

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Marketing Assistance Loans

USDA's Commodity Credit Corporation makes available nonrecourse marketing assistance loans on certain crop year 2017 commodities. These loans can be requested via mail, fax, or in person by properly completing the loan application (CCC-666). Loan applications are available at all county FSA offices and online at: <http://forms.sc.egov.usda.gov/eForms/>

A commodity loan application must be filed at the county office that maintains the farm records for the farm that produced the commodity for the loan. The 2017 crop commodity loan rates are available at any county FSA office, or online at: <http://www.fsa.usda.gov> and clicking on the "Price Support" link.

Lien searches are required for all applicants and spouses in order to identify prior lien holders. County Offices update CCC-10's by verifying an individual's name according to their driver's license. Lien waivers are required from all lien holders before the commodity loan can be disbursed.

To be eligible for loan the commodity must meet the applicable commodity definition in the Official United States Standards and specific commodity eligibility requirements for a nonrecourse loan. Test weight and moisture levels can impact the eligibility for nonrecourse loans. If there are known quality problems producers should contact their local county FSA office to discuss available loan options.

Farm-stored loans are available in approved storage structures that provide safe storage for the commodity through the maturity date of the loan.

Warehouse-stored loans are also available at CCC-approved storage warehouses or State licensed warehouses which have been assigned a CCC warehouse code. Proof of storage paid through the loan maturity date and proof of payment of in-charges must be provided with the warehouse receipt for the warehouse stored loan. CCC will not adjust the loan rate using premiums and discounts at the time of loan making. However, loan rates will be adjusted if the loan is forfeited to CCC at maturity.

Loans mature on demand, but no later than the last day of the ninth calendar month after the month in which the loan was disbursed.

Producers requesting commodity loans are required to maintain beneficial interest in the commodity tendered for loan. Beneficial interest includes having control and title in the commodity. Loss of any one element causes loss of beneficial interest. Sales agreements, including options to purchase, priced later and contracts for future delivery can impact beneficial interest. Once beneficial interest is lost, the commodity remains ineligible for loan or LDP, even if the producer regains control or title at a later date.

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USDA Expands Farm Loans for Native Americans Farming and Ranching on Tribal Land

Department Awards First Loan Under Highly Fractionated Indian Land Program

USDA has approved and obligated the first loan under the Highly Fractionated Indian Land Loan program (HFIL). The program, made possible by the 2014 Farm Bill, provides revolving loan funds to qualified intermediary lenders, allowing qualified tribes and individuals the ability to purchase tribal farmland that has multiple owners.

The first recipient, the Native American Community Development Corporation Financial Services, Inc. (NACDCFS) of Browning, Mont., will lend funds directly to tribal members through a \$10 million intermediary HFIL loan from USDA's Farm Service Agency (FSA). NACDCFS addresses critical needs in Native American communities related to the growth of family assets, supports economic development, and enhances the quality of life for communities and residents located on or near Montana's seven Indian reservations. NACDCFS provides one-on-one technical assistance to Native American entrepreneurs and agricultural producers. NACDCFS is a 501(c) (3), certified Native Community Development Financial Institution (CDFI), through the U.S. Department of Treasury.

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.

Under HFIL, tribes and tribal members can submit an application directly 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.

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

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Bank Account Changes

Current FSA policy mandates that 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.

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Call Before You Dig

No, FSA is not part of the Utility Notification calling tree. However, if there should be any earthwork,

demolition or clearing of land that could potentially become part of a FSA funded project, eligibility could be impacted if someone doesn't "call before they dig".

All federally funded projects fall under NEPA (National Environmental Policy Act), and if any part of a proposed project involves ground disturbance or building alteration/construction, such as building a grain handling facility, etc, FSA must complete an environmental review before the project is initiated to ensure eligibility. The environmental review will determine if the proposed project will have an impact to any cultural resources, historical buildings/sites, wetlands, etc. Far too often there has been earthwork, building demolition, tree clearing, etc, conducted before the applicant visits the FSA office to inquire about program eligibility. If this should happen, the project will not be funded, so call before there is any digging, destruction or clearing of land.

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Loan Servicing

There are options for Farm Service Agency loan customers during financial stress. If you are a borrower who is unable to make payments on a loan, contact your local FSA Farm Loan Manager to learn about the options available to you.

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Feeling Overwhelmed? FirstLink Offers Resources to Help

Help is available if you, or someone you know, is in need of emotional support as a result of the drought. You are not alone and help is as easy as dialing 2 -1 -1. The FirstLink Helpline provides confidential listening and support on a variety of topics, including financial assistance and mental health support. For help, or to connect to available resources, dial the 24-hour helpline at 2-1-1 or 701-235-7335 (SEEK). The 24-Hour Suicide Lifeline is 800-273-8255 (TALK). Find FirstLink online at <http://myfirstlink.org/services/2-1-1-helpline/>.

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Calendar Deadlines

Important Upcoming Dates and Deadlines

November 1, 2017 - Deadline for producers to make a 2017 application for ELAP benefits

November 15, 2017 - 2018 Perennial and Other Forage NAP Coverage deadline

November 15, 2017 - Acreage Reporting Deadline for Fall-Seeded Small Grains, Apiculture, and PRF/Perennial Forage for program year 2018.

November 15, 2017 - Final date to late-file an acreage report for the 2017 program year for Fall-Seeded Small Grains, Apiculture, and PRF/Perennial Forage.

December 1, 2017 - 2018 Honey NAP Coverage deadline

October 2017 Loan and Interest Rates

Commodity Loans – **2.250%**

Operating Loans – **2.750%**

Farm Ownership and Conservation Loans – **3.750%**

Farm Ownership-Joint Financing – **2.500%**

Emergency - Amount of Actual Loss - **3.750%**

Farm Ownership-Down Payment Loans – **1.500%**

Farm Storage Facility Loan, 3-Year – **1.500%**

Farm Storage Facility Loan, 5-Year – **1.750%**

Farm Storage Facility Loan, 7-Year – **2.000%**
Farm Storage Facility Loan, 10-Year – **2.125%**
Farm Storage Facility Loan, 12-Year – **2.250%**

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