

October, 2018



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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Brad Thykeson

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Jim Hauge, Chairperson

From the State Executive Director- Brad Thykeson

While October brings the tough challenge of working around shifting weather to harvest the 2018 crop, it is also an important month for the North Dakota Farm Service Agency, as payments recently began for 2017 ARC/PLC enrolled crops of; wheat, soybeans, canola, dry peas, lentils, barley, oats, corn, grain sorghum and for the Conservation Reserve Program.

These producers/landowners should watch their bank accounts for the funds and keep in mind that it could take up to a month for all funds to be disbursed.

Jared Hagert, Member
Erika Kenner, Member
Edward Kessel, Member
Barton Schott, Member

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Conservation/Livestock
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Price Support
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Find Your Local Office:

<http://offices.sc.egov.usda.gov/locator/app>

A few other points of business I would like to highlight from this month's newsletter include:

- The fall acreage reporting deadline for fall-seeded crops and perennial forage is right around the corner- November 15, 2018.
- Sign-up continues and remains open until January 15, 2019 for the Market Facilitation Program (MFP).
- The North Dakota Farm Service Agency is hiring. Check out our open job opportunities across the State below and learn more about joining our team.

While fall harvest and winter preparation remains in full swing in some areas of the state, others are dealing with record levels of early October snow. As frustrating as Mother Nature can be, there is always something to be grateful for with many experiencing favorable weather this past growing season and decent amounts of hay and yields being reported.

Stay safe out there everyone!

- Brad Thykeson

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, 2018 to be considered timely filed for program year 2019.

Producers seeking eligibility for the Livestock Forage Disaster Program (LFP) in eligible Counties, must have a 2018 acreage report on file for all grazing land. Producers who failed to timely submit a 2018 acreage report by the crop acreage reporting deadline should contact your local county office. FSA will not accept acreage reports provided more than a year after the acreage reporting deadline.

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Market Facilitaiton Program Update: Expanded Hog Timeline

USDA has expanded the timeline for producers with whom the Aug. 1, 2018, date does not accurately represent the number of head of live hogs they own. Producers may now choose any date between July 15 to Aug. 15, 2018 that correctly reflects their actual operation.

MFP applications are available online at www.farmers.gov/mfp. Applications can be completed at a local FSA office or submitted electronically either by scanning, emailing, or faxing. To locate or contact your local FSA office, visit www.farmers.gov.

The sign-up period for MFP for other eligible commodities is now open and runs through Jan. 15, 2019, with information and instructions provided at www.farmers.gov/mfp.

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Market Facilitation Program

The sign-up period for Market Facilitation Program (MFP) is now open and runs through January 15, 2019, with information and instructions provided at www.farmers.gov/mfp. The MFP provides payments to corn, dairy, hog, sorghum, soybean, and wheat producers who have been impacted by loss of traditional exports. Eligible producers should apply after harvest is 100 percent completed for the MFP crop commodity, as payments will only be issued on actual net production reported. Actual production for MFP crop commodities can be certified production by the producer. Eligible MFP crop commodities must have been reported with an intended use of grain or seed and the acreage must have been mechanically harvested. FSA will be conducting a reasonableness review of reported 2018 actual production prior to approving MFP applications.

There are 2 scheduled payment periods. The first payment will be issued on 50 percent of the producer's total production, multiplied by the MFP rate for a specific commodity. A second payment period, if warranted, will be determined by the USDA around December 3, 2018.

MFP Payment Rates

<u>Commodity</u>	<u>Initial Payment Rate *</u>
Corn	\$0.01 / bu.
Dairy (milk)	\$0.12 / cwt.
Pork (hogs)	\$8.00 / head
Soybeans	\$1.65 / bu.
Sorghum	\$0.86 / bu.
Wheat	\$0.14 / bu.

* Initial payment rate on 50% of 2018 actual production

MFP payments are limited to a combined \$125,000 for corn, sorghum, soybeans, and wheat capped per person or legal entity. MFP payments are also limited to a combined \$125,000 for dairy and hog producers. Applicants must also have an average adjusted gross income for tax years 2014, 2015, and 2016 of less than \$900,000. Applicants must also comply with the provisions of the Highly Erodible Land and Wetland Conservation regulations.

For more further information or to locate and contact local FSA offices, interested producers can visit www.farmers.gov.

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2017 ARC and PLC Payments

Payments for the 2017 ARC and PLC program, if triggered, are scheduled to be made in October for wheat, barley, oats, corn, grain sorghum, soybeans, canola, dry peas and lentils. 2017 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 2017 marketing year average price. The final payment rates for crops triggering ARC-CO payments are dependent upon each crop's county average yield and the 2017 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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Livestock Forage Losses

Producers with land physically located in the following counties are eligible to apply for 2018 Livestock Forage Disaster Program (LFP) benefits on small grain for grazing, native pasture, improved pasture, forage sorghum for grazing:

Bottineau, Eddy, Foster, McHenry, Nelson, Pierce, Renville, Ward and Wells.

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, 2019 for 2018 losses. In addition to the LFP application, the livestock producer must also have filed a 2018 acreage report for all interests in grazing lands.

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 2018 Emergency Livestock Assistance Program (ELAP) benefits for costs incurred for hauling water to eligible livestock:

Eddy, Foster, McHenry, Nelson, Renville, Ward and Wells.

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 2018 application for ELAP benefits is November 1, 2018. Producers must submit all supporting documentation to substantiate losses, beginning and ending inventory, and other such documentation, as applicable.

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Payment Limitations

Program payments may be limited by direct attribution to individuals or 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 individual, both directly and indirectly. Qualifying spouses are eligible to be considered separate persons for payment limitation purposes, rather than being automatically combined under one limitation.

Payments and benefits under certain FSA programs are subject to some or all of the following:

- payment limitation by direct attribution
- payment limitation amounts for the applicable programs
- actively engaged in farming requirements
- cash-rent tenant rule
- foreign person rule
- average AGI limitations
- programs subject to AGI limitation
- effective date of implementation of AGI limitation

The Bipartisan Budget Act (BBA) of 2018, which was signed into law on Feb. 9, 2018, included provisions that changed or even removed payment limitations for certain programs. For more information on payment limitations by program, contact your local FSA office.

No program benefits subject to payment eligibility and limitation will be provided until all required forms for the specific situation are provided and necessary payment eligibility and payment limitation determinations are made.

Payment eligibility and payment limitation determinations may be initiated by the County Committee or requested by the producer.

There are statutory provisions that require entities, earning program benefits that are subject to limitation, to provide the names, addresses, and TINs of the entities' members to the County Committee.

Payment eligibility and payment limitation forms submitted by persons and legal entities are subject to spot check through the end-of-year review process.

Persons or legal entities selected for end-of-year review must provide the County Committee with operating loan documents, income and expense ledgers, canceled checks for all expenditures, lease and purchase agreements, sales contracts, property tax statements, equipment listings, lease agreements, purchase contracts, documentation of who provided actual labor and management, employee time sheets or books, crop sales documents, warehouse ledgers, gin ledgers, corporate or entity papers, etc.

A determination of not actively engaged in farming results in the person or legal entity being ineligible for any payment or benefit requiring a determination of actively engaged in farming.

Noncompliance with AGI provisions, either by exceeding the applicable limitation or failure to submit a certification and consent for disclosure statement, will result in the determination of ineligibility for all program benefits subject to AGI provisions. Program payments are reduced in an amount that is commensurate with the direct and indirect interest held by an ineligible person or legal entity in any legal entity, general partnership, or joint operation that receives benefits subject to the average AGI limitations.

If any changes occur that could affect an actively engaged in farming, cash-rent tenant, foreign person, or average Adjusted Gross Income (AGI) determination, producers must timely notify the county Office by filing revised farm operating plans and/or supporting documentation, as applicable. Failure to timely notify the County Office may adversely affect payment eligibility.

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Marketing Assistance Loans

USDA's Commodity Credit Corporation makes available nonrecourse marketing assistance loans on certain crop year 2018 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 2018 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 will be updating our records by verifying an individual's name according to their unexpired 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 Encourages Producers to Consider NAP 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. Beginning, underserved and limited resource farmers are now eligible for free catastrophic level coverage.

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/ActuarialInformationBrowser2018/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.

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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Report Non-Insured Crop Disaster Assistance Program (NAP) Losses

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 or abandonment 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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Youth Loans

The Farm Service Agency makes loans to youth to establish and operate agricultural income-producing projects in connection with 4-H clubs, FFA and other agricultural groups. Projects must be planned and operated with the help of the organization advisor, produce sufficient income to repay the loan and provide the youth with practical business and educational experience. The maximum loan amount is \$5000.

Youth Loan Eligibility Requirements:

- Be a citizen of the United States (which includes Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands) or a legal resident alien
- Be 10 years to 20 years of age
- Comply with FSA's general eligibility requirements
- Be unable to get a loan from other sources

- Conduct a modest income-producing project in a supervised program of work as outlined above
- Demonstrate capability of planning, managing and operating the project under guidance and assistance from a project advisor.
- The project supervisor must recommend the youth loan applicant, along with providing adequate supervision.

Stop by the county office for help preparing and processing the application forms.

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Power of Attorney

FSA has a power of attorney form available that enables persons and legal entities to designate another person to conduct business on behalf of the person or legal entity. If you are interested, please contact our office or any FSA office near you for more information. FSA's power of attorney form and provisions do not apply to farm loan programs.

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North Dakota Farm Service Agency Hiring!

The Farm Service Agency (**FSA**) is an **exciting** and **rewarding** place to start, build, and/or continue your career. Be part of our team and support the well-being of North Dakota agriculture and the American public.

The **North Dakota Farm Service Agency (FSA)** is seeking to fill the following full-time, permanent positions at various County Office locations around the State of North Dakota.

FSA's diverse culture and benefits allow for a healthy balance between your career and home life. In addition to a generous salary, positions with FSA offer benefits such as health insurance, life insurance, 401(k) plan, paid holidays, vacation and sick leave, and flexible work schedules.

Potential applicants interested in learning more about open positions with the North Dakota Farm Service Agency and/or applying for these positions should click on the links below:

Program Technician (Wells County Farm Service Agency)

<https://www.usajobs.gov/GetJob/ViewDetails/512059000>

Location: Fessenden, ND

Dates Open: 9/26/2018- 10/12/2018

Program Technician (Richland County Farm Service Agency)

2 Positions Open

<https://www.usajobs.gov/GetJob/ViewDetails/512368700>

Location: Wahpeton, ND

Dates Open: 10/01/2019- 10/19/2018

Program Technician (Grand Forks County Farm Service Agency)

<https://www.usajobs.gov/GetJob/ViewDetails/513071600>

Location: Grand Forks, ND

Dates Open: 10/01/2019- 10/19/2018

Calendar Deadlines

Important Upcoming Dates and Deadlines

November 15, 2018 – Acreage Reporting Deadline for Fall-Seeded Small Grains, Apiculture, and PRF/Perennial Forage for program year 2019.

November 15, 2018 – 2019 NAP Application Closing Deadline for Perennial Forage and Grazing Crops, Hops, Juneberries and Aronia Berries

December 1, 2018 – 2019 NAP Application Closing Deadline for Honey and Grapes

December 3, 2018 – Last Day to Return Voted County Committee Election Ballots to local FSA Offices

January 15, 2019- Final Day to Enroll in the Market Facilitation Program (MFP)

October 2018 Loan and Interest Rates

Commodity Loans –**3.500%**

Operating Loans – **3.750%**

Farm Ownership and Conservation Loans – **4.125%**

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 – **2.750%**

Farm Storage Facility Loan, 5-Year – **2.750%**

Farm Storage Facility Loan, 7-Year – **2.875%**

Farm Storage Facility Loan, 10-Year – **2.875%**

Farm Storage Facility Loan, 12-Year – **3.000%**

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