

June 2014



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MONTANA FSA: June 2014 Newsletter

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Programs to Conserve Sensitive Land and Help Beginning Farmers Begin June 9

Beginning June 9, 2014, farmers, ranchers and landowners may sign up for the Conservation Reserve Program (CRP). Programs included in the signup are Continuous CRP, a one-year extension of previously enrolled general signup contracts and the Transition Incentives Program (TIP).

CRP consists of a "continuous" and "general" sign-up period. Continuous sign up for the voluntary program starts June 9. Under continuous sign-up authority, eligible land can be enrolled in CRP at any time with contracts of up to 10 to 15 years in duration. In lieu of a general sign-up this year, USDA will allow producers with general CRP contracts expiring this September to have the option of a one-year contract extension. USDA will also implement the 2014 Farm Bill's requirement that producers enrolled through general sign-up for more than five years can exercise the option to opt-out (early out) of the program if certain other conditions are met. The "early out" opportunity will not be available until Fiscal Year 2015.

The Transition Incentives Program provides two additional years of payments for retired farmers and ranchers who transition expiring CRP acres to socially disadvantaged, military veteran, or beginning producers who return the land to sustainable grazing or crop production. Veteran farmers must also meet the definition of a beginning farmer or rancher. Sign up will also begin June 9. TIP funding was increased by more than 30 percent in the 2014 Farm Bill, providing up to \$33 million through 2018.

CRP provides incentives to producers who utilize conservation methods on

Reasonable Accommodations:

People with disabilities who require accommodations to participate in FSA programs should contact the County Executive Director in the FSA Office in your area or Federal Relay Service at 1-800-877-8339. Alternatively, you may also contact Montana FSA Civil Rights Coordinator Jennifer Cole at (406) 587-6786 or jennifer.cole@mt.usda.gov.

environmentally-sensitive lands. For example, farmers are monetarily compensated for establishing long-term vegetative species, such as approved grasses or trees (known as "covers") to control soil erosion, improve water quality, and enhance wildlife habitat. For more information on CRP and other FSA programs, visit a local FSA county office or go online to www.fsa.usda.gov.

2014 Crop Year FSA Acreage Reporting/Certification Deadlines

Producers are reminded to file their 2014 acreage reports/crop certification by the deadline of:

- November 15, 2013: Apiculture, PRF (Pasture, Rangeland and Forage Program)/Tame and Native Rangeland Grazed Acres for NAP, LFP and ELAP, All Perennial Forage, All Fall-Seeded Small Grains
- January 15, 2014: Established Stand Alfalfa Seed, Fall Alfalfa Seed, Cherries
- July 15, 2014: Spring Seeded Alfalfa Seed, Forage Seeding, CRP, all other spring seeded crops and any crops not previously reported.

Any crop reported after the applicable deadline for the crop will be considered late-filed. Producers are encouraged to contact the local FSA county office for an appointment to complete your 2014 acreage report.

The following exceptions apply to the above acreage reporting dates:

- If the crop has not been planted by the above acreage reporting date, then the acreage must be reported no later than 15 calendar days after planting is completed.
- If a producer acquires additional acreage after the above acreage reporting date, then the acreage must be reported no later than 30 calendar days after purchase or acquiring the lease. Appropriate documentation must be provided to the county office.
- If a perennial forage crop is reported with the intended use of "cover only," "green manure," "left standing," or "seed," then the acreage must be reported by July 15th.

Noninsured Crop Disaster Assistance Program (NAP) policy holders should note that the acreage reporting date for NAP covered crops is the earlier of the dates listed above or 15 calendar days before grazing or harvesting of the crop begins.

Livestock Disaster Assistance Sign-up Continues

Livestock disaster program enrollment opened on April 15, 2014. These disaster programs are authorized by the 2014 Farm Bill as permanent programs and provide retroactive authority to cover losses that occurred on or after Oct. 1, 2011. To expedite applications, all producers who experienced losses are encouraged to bring records documenting those losses to their local FSA county office. Producers should record all pertinent information of natural disaster consequences, including:

- Documentation of the number and kind of livestock that have died, supplemented if possible by photographs (with dates) or video records of ownership and losses
- Dates of death supported by birth recordings or purchase receipts
- Costs of transporting livestock to safer grounds or to move animals to new pastures
- Feed purchases if supplies or grazing pastures are destroyed
- Crop records, including seed and fertilizer purchases, planting and production records

Eligible producers can sign-up for the following livestock disaster assistance programs:

Livestock Forage Disaster Program (LFP):

- LFP provides compensation to eligible livestock producers that have suffered grazing losses due to a qualifying drought on Federal and privately owned or cash leased land or fire on federally managed land. Eligible producers must physically be located in a county affected by a qualifying drought during the normal grazing period for the county. Producers who suffered eligible grazing losses should submit a completed CCC-853 and supporting documentation by **January 30, 2015**.

2012 and 2013 LFP - Montana Counties: Eligible Montana Counties are those that were rated by the U.S. Drought Monitor as at least D2 (severe drought) through D4 (exceptional drought) for a period of time during the normal grazing period.

2012: For 2012 LFP, eligible producers who own or lease grazing land or pastureland physically located in the following 27 Montana counties may apply: Beaverhead, Big Horn, Broadwater, Carbon, Carter, Cascade, Custer, Fallon, Fergus, Gallatin, Garfield, Golden Valley, Jefferson, Judith Basin, Madison, Meagher, Musselshell, Park, Petroleum, Powder River, Rosebud, Silver Bow, Stillwater, Sweet Grass, Treasure, Wheatland and Yellowstone.

2013: For 2013 LFP, ten (10) eligible drought counties include: Beaverhead, Big Horn, Broadwater, Carbon, Gallatin, Jefferson, Madison, Silver Bow, Stillwater and Yellowstone.

MONTANA LFP MAP: A Montana map of eligible LFP counties for 2012 and 2013 is available here:

http://www.fsa.usda.gov/Internet/FSA_Image/mt-lfp-2012-2013.jpg (JPG) or here http://www.fsa.usda.gov/Internet/FSA_File/mt-lfp-2012-2013-map.pdf (PDF).

Livestock Indemnity Program (LIP):

- LIP provides compensation to eligible livestock owners and livestock contract growers that have suffered eligible livestock death losses in excess of normal mortality as a direct result of an eligible adverse weather event, or attacks by animals reintroduced into the wild by the Federal Government or protected by Federal law. Producers who suffered livestock death losses since Oct. 1, 2011 should submit a notice of loss and an application for payment to their local FSA office by **January 30, 2015**.

Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP):

- ELAP provides emergency assistance to eligible producers of livestock, honeybees and farm-raised fish that have losses due to disease, adverse weather, or other conditions, such as blizzards and wildfires. ELAP assistance is provided for losses not covered by LFP and LIP. Producers who suffered eligible livestock, honeybee or farm-raised fish losses since Oct. 1, 2011 must submit a notice of loss and application for payment to their local FSA office by **August 1, 2014**. For 2014 program year losses, the notice of loss and an application for payment must be submitted by **November 1, 2014**.

For more information, producers can review the LFP, LIP and ELAP Fact Sheets on the [Farm Bill webpage](#). Producers are encouraged to make an appointment with their local FSA county office to apply for these programs.

FSA County Committee Elections Nomination Period: June 15 to Aug. 1

Montana farmer and rancher candidate nominations begin June 15 for local FSA county committees. The nomination period continues through Aug. 1. Elections take place in early November through Dec. 1 and newly elected committee members take office on Jan. 1, 2015. To be eligible to serve on an FSA county committee, a person must participate or cooperate in a program administered by FSA, be eligible to vote in a county committee election and reside in the local administrative area (LAA) in which the person is a candidate. Producers may nominate themselves, be nominated by other producers in the LAA, as well as be nominated by organizations representing minorities and women. To become a nominee, individuals must sign form FSA-669A which is available at any FSA office and online at: <http://www.fsa.usda.gov/elections>. Nomination forms must be postmarked or received by FSA by close of business on Aug. 1. FSA county committee members make decisions on disaster and conservation programs, emergency programs, commodity price support programs and other important agricultural issues. Members serve three-year terms. Committee members are paid hourly wages plus mileage. Nationwide, there are more than 7,800 farmers and ranchers serving on FSA county committees.

Committees consist of three to five members who are elected by eligible local producers. For more information, contact your local FSA office.

MONTANA'S ELECTION AREAS BY COUNTY: For a written description and map of election areas open for nominations by county, visit http://www.fsa.usda.gov/Internet/FSA_File/2014-mt-fsa-elections.pdf. Click on the link next to the county you would like to view and a document will open with the description and map. For more information, visit your local FSA county office and online at www.fsa.usda.gov/mt.

2014 Crop – NAP Notice of Loss

Producers with a NAP policy should file a notice of loss if they believe their crops have suffered a loss of production or they have been prevented from planting their crops. Producers must report crop losses within 15 days of the date disaster occurs or the date crop damage becomes apparent. In addition, if a producer is going to abandon, destroy, or change their original intended use of 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 of potential forage for grazing. A NAP payment will be made if a unit suffers a loss of production in excess of 50 percent. The payment rate for NAP is 55 percent of the established market price for the crop. Contact the office with any questions.

Payment Eligibility & Limitations under 2014 Farm Bill

The 2014 Farm Bill includes payment eligibility and payment limitation provisions applicable for receiving payments and benefits under programs authorized by the 2014 Farm Bill. The majority of the rules and requirements effective for previous years' program payments and benefits are applicable to recipients of program payments and benefits under the 2014 Farm Bill. This includes the requirements of actively engaged in farming, cash-rent tenant, substantive change, minor child, and spousal provisions. Payments will continue to be limited by direct attribution to individual and legal entity.

The average AGI limitations were simplified. Effective for 2014, individuals and legal entities applying for payment directly or indirectly (as a member of an entity) **must** have an average AGI of \$900,000 or less for the receipt of commodity, price support and disaster assistance program payment and benefits. Effective for 2015, the same average AGI limitation applies to the recipients of payments and benefits from most conservation programs. The definitions for determining AGI for individuals and legal entities and the corresponding 3-year periods for the determination of average AGI remain unchanged. Eligibility will be calculated based on an average of the AGI for the three years preceding the most recently complete tax year. For example, if certifying compliance for the 2014 year, eligibility is based on an average of the Adjusted Gross Income for 2010, 2011, and 2012 tax years.

Payment Limitations

A maximum dollar amount that can be received annually, directly or indirectly, under various programs by an individual or legal entity is established by statute. Such limitations on payments are controlled by direct attribution. For the purposes of the direct attribution of payments, ownership interest that a person or legal entity holds in a legal entity on June 1 of the current year is used.

Direct attribution means that program payments made:

- directly or indirectly to an individual are combined with the pro rata interest held in any legal entity that received payment, unless the payments to the legal entity have been reduced by the pro rata share of the individual.
- directly to a legal entity are attributed to those individuals that have a direct and indirect interest in the legal entity, unless the payments to the legal entity have been reduced by the pro rata share of the individual.

This table contains the annual payment limitations for an individual or legal entity for programs that are subject to the provisions of the 2014 Act.

Program Payment Type	Annual Limitation, Unless Otherwise Noted, 2014 Through 2018
Commodity and Price Support Programs	
ARC, PLC, LDP, and MLG payments for other than	\$125,000
ARC, PLC, LDP, and MLG payments for peanuts	\$125,000
Transition assistance for producers of upland cotton	\$40,000 <u>1/</u>
Conservation Programs	
AMA	\$50,000 <u>2/</u>
CRP annual rental payment and incentive payment	\$50,000 <u>3/</u>
CSP	\$200,000 <u>4/</u>
ECP (per disaster event)	\$200,000
EFRP (per disaster event)	\$500,000
EQIP	\$450,000 <u>5/</u>
Disaster Assistance Programs	
ELAP, LFP, LIP	\$125,000 <u>6/</u>
NAP	\$125,000
TAP	\$125,000
Other Programs	
TAAF	\$10,000

1/ Transition assistance for producers of upland cotton is only available in the 2014 and 2015 program years.

2/ The \$50,000 limitation is the total limit that a participant may receive under the AMA program in any FY.

3/ CRP contracts approved before October 1, 2008, may exceed the limitation, subject to payment limitation rules in effect on the date of contract approval.

4/ The \$200,000 limitation is the total limit under all CSP contracts entered into subsequent to the enactment of the 2014 Farm Bill during FY's 2014 through 2018.

5/ The \$450,000 limitation is the total limit under all EQIP contracts entered into subsequent to the enactment of the 2014 Farm Bill during FY's 2014 through 2018.

6/ Total payments received under ELAP, LFP, and LIP may not exceed \$125,000. A separate limitation applies to TAP payments.

Report Changes in Farming Operation

If you have bought or sold land, or if you have picked up or dropped rented land from your operation, make sure you report the changes to the office as soon as possible. You need to provide a copy of your deed or recorded land contract for purchased property, or a copy of your lease for leased property. Failure to maintain accurate records with FSA on all land you have an interest in can lead to possible program ineligibility and penalties. Update signature authorization when changes in the operation occur. Producers are reminded to contact the office about a change in operations on a farm so that records can be kept current and accurate.

Highly Erodible Land and Wetland Compliance

Landowners and operators are reminded that in order to receive payments from USDA, they must be compliant with Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions. Producers with HEL determined soils must apply tillage, crop residue and rotation requirements as specified in their conservation plan. Producers should notify FSA prior to conducting land clearing or drainage projects to ensure compliance. If you intend to clear any trees to create new cropland, these areas will need to be reviewed to ensure any work will not jeopardize your eligibility for benefits. Landowners and operators can complete form AD-1026 Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification to determine whether a referral to Natural Resources Conservation Service (NRCS) is necessary. For more information on Highly Erodible Land and Wetland Conservation provisions, contact a FSA County Office or visit the FSA website at www.fsa.usda.gov.

2013 Crop Year ACRE Production Report Deadline is July 15th

Participation in 2013 ACRE requires production reports for planted acres that must be submitted for the covered commodities and peanuts planted on the farm by July 15, 2014. Failure to report production for those covered commodities and peanuts planted on ACRE farms may result in contract termination. If the contract is terminated, all payments, including direct payments previously received plus interest will be required to be refunded.

2013 NAP Production Evidence & Application for Payment Deadline is July 15

If you had 2013 NAP Coverage, you must provide acceptable production evidence by the subsequent year's acreage reporting date to calculate the approved yield for the NAP unit. When you make your appointment to report your 2014 acreages to FSA, take your 2013 NAP production evidence for NAP crops with you to the FSA office. The deadline to submit 2013 production evidence to include in calculating the 2014 approved yield, is July 15, 2014. If you suffered a loss in 2013 and filed a Notice of Loss under NAP, the deadline to file an application for payment for 2013 losses is also July 15, 2014.

Tree Assistance Program (TAP) Sign-up Underway

Signup for FSA's Tree Assistance Program began April 15th. Orchardists and nursery tree growers who experienced losses from natural disasters that occurred on or after October 1, 2011, can sign up for TAP. 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 and nursery tree growers must suffer a qualifying tree, bush or vine loss in excess of 15 percent mortality from an eligible natural disaster. A factsheet on the TAP is available at: http://www.fsa.usda.gov/Internet/FSA_File/tap_2014.pdf. To signup for TAP or other FSA programs, contact your local county FSA office.

Emergency Loan Program available in Montana disaster counties

FSA's Emergency Loan Program is available for agricultural producers in counties designated as primary or contiguous natural disaster areas. Contact your local FSA office for specific designations in your area and time frames to apply. Eligible producers have eight months from the date of the disaster designation to apply for low-interest emergency loans to 1.) restore or replace essential property; 2.) pay all or part of production costs associated with the disaster year; 3.) pay essential family living expenses; or 4.) refinance certain debts, excluding real estate. Producers interested in applying for an emergency loan, or other FLP loans, should contact their local FSA office to set up an appointment with the Farm Loan Program staff serving your area. [Click here for 2014 Montana Disaster Designations To Date.](#)

Important FSA Dates and Deadlines:

- **May 15-July 15:** Primary Nesting and Brood rearing Season
 - **June 15:** 2014 FSA County Committee Election Nomination Period Begins
 - **July 15:** 2014 Acreage Reporting Deadline for Spring Seeded Alfalfa Seed, Forage Seeding, all other spring seeded crops and any crops not previously reported.
 - **July 15:** 2013 Crop Year NAP Production Reporting Deadline & 2013 Crop Year NAP Application for Payment Deadline
 - **July 15:** 2013 Crop Year ACRE Production Report Deadline
 - **July 16:** CRP Managed Summer/Fall Grazing/ Haying Period Begins (with County Committee Approval of Request)
 - **Aug. 1:** 2012 and 2013 ELAP Notice of Loss and Application for Payment Deadline
 - **Aug. 1:** Last day to file 2014 County Committee Election Nomination Form (FSA-669A) at FSA office
 - **Sept. 30:** 2015 Crop Year NAP Sales Closing Date for fall seeded annual crops and perennial forage crops intended for hay and grazing.
 - **Nov. 1:** 2014 ELAP Notice of Loss and Application for Payment Deadline
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USDA is an equal opportunity provider and employer. 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).