

November 2018



Farm Service Agency **Electronic News Service**

# NEWSLETTER

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## Minnesota FSA Newsletter: November 2018

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### Minnesota Farm Service Agency **A Note of Thanks**

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**State Executive Director:**  
Joe Martin

**Executive Officer and  
Acting Administrative**

The Minnesota Farm Service Agency would like to express how thankful we are for all of our farmers and ranchers throughout the state. We are grateful for your contributions and impact on our communities. Happy Thanksgiving to each of you, from our FSA family to yours!

**Officer:**

Michelle Page

**Division Chiefs:**

Cassie Buck  
Angela Hanson  
Brian Hartman  
Laurie Moss

**State Committee:**

Scott Winslow, Chair  
Kurt Blomgren, Member  
Jay Nord, Member  
Mike Yost, Member  
Karolyn Zurn, Member

To find contact information for  
your local office go to  
[www.fsa.usda.gov/mn](http://www.fsa.usda.gov/mn)

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## Sign In/Sign Up!

Farmers, ranchers and agricultural producers have new online options to access U.S. Department of Agriculture (USDA) programs. Through USDA's new streamlined process, producers doing business **as an individual** can now register, track and manage their applications for the Market Facilitation Program (MFP) and 2017 Wildfires Hurricanes Indemnity Program (2017 WHIP) on the secure and convenient [www.farmers.gov](http://www.farmers.gov). Producers doing business as an individual first need to sign up for the Level 2 eAuthentication access. Currently USDA eAuthentication does not have the mechanism to issue accounts to businesses, corporations, other entities or for anyone acting on behalf of another individual or entity.

- Step 1: Create and online account at [www.eauth.usda.gov](http://www.eauth.usda.gov)
- Step 2: Complete identity verification by either using the online self-service identity verification method or by completing the identity verification in-person at your USDA Service Center.
- Step 3: You're enrolled
- Step 4: Contact your local USDA Service Center to have your new Level 2 account linked with your USDA customer record
- Step 5: You're ready to Log In

Or go to your local USDA Service Center and our supportive staff will help you sign up for Level 2 Access right in the office! They will get you online so you can create an online account at <https://www.farmers.gov/sign-in>. You'll complete identity verification right on the spot. You're enrolled! Users with a secure Level 2 eAuthentication ID linked to their USDA customer record can apply for select USDA programs, view and print farm maps and farm records data. Enrolling is easy! Visit [farmers.gov/sign-in](http://farmers.gov/sign-in) to learn more.

To locate a service center near you or use online services not requiring eAuthentication access, visit [www.farmers.gov](http://www.farmers.gov). For technical assistance, call the eAuthentication help desk at 1-800-457-3642.

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## USDA Reminds Producers of Disaster Program Deadlines

U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) reminds Minnesota producers who experienced losses from natural disasters during the 2017 and 2018 calendar years that they may be eligible for assistance through the Tree Assistance Program (TAP), Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP) and Livestock Indemnity Program (LIP).

### **Tree Assistance Program (TAP):**

TAP provides financial assistance to qualifying orchardists and nursery tree growers to replant or rehabilitate eligible trees, bushes and vines lost due to natural disasters. Payment eligibility is triggered when a mortality loss in excess of 15 percent on a stand (adjusted for normal mortality) occurs due to natural disaster.

For 2017 and 2018 TAP losses, growers have until the later of Dec. 3, 2018, or 90 calendar days after the disaster event or date when the loss of trees becomes apparent to submit an application with supporting documentation.

### **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 who have suffered losses due to an adverse weather or loss condition, including blizzards, disease, water shortages and wildfires. ELAP assistance is provided for losses not covered by other disaster assistance programs.

For 2017 and 2018 ELAP, producers must file a notice of loss and application for payment at their local FSA office by Dec. 3, 2018. for losses occurring from Oct. 1, 2016, through Sept. 30, 2018.

### **Livestock Indemnity Program (LIP):**

LIP provides compensation to eligible livestock owners or contract growers for livestock deaths in excess of normal mortality, or injury resulting in reduced value, caused by an eligible loss condition.

For 2017 and 2018 LIP, a livestock owner or contract grower must file a notice of loss the later of 30 calendar days from when the loss of livestock is first apparent, or Dec. 3, 2018. For 2017 losses, a livestock owner or contract grower must file an application for payment by Dec. 3, 2018. For 2018 losses, a livestock owner or contract grower must file an application for payment by, March 1, 2019.

### **Other Amendments to the 2014 Farm Bill by the Bipartisan Budget Act of 2018**

In February, the Bipartisan Budget Act of 2018 made several changes to FSA disaster programs. This includes eliminating the \$20 million fiscal year funding cap for ELAP, eliminating the \$125,000 payment limitation for LIP for 2017 and future years and allowing producers to receive a payment for injured livestock that are sold for a reduced price due to an eligible event.

As a result of these changes, starting June 4, producers were allowed to submit ELAP, LIP and LFP applications for 2017 losses if they reached the payment limitation under the previous rules. The application periods for these programs for the 2017 program year will close on Dec. 3, 2018. Producers who already submitted applications and received decisions on their applications for these

years do not need to file again but can reapply if they have additional losses or their application or notice of loss was denied because it was late filed.

Contact your local FSA office for program deadlines. For more information on FSA disaster assistance programs or to find your local USDA Service Center, visit <https://www.farmers.gov/>.

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## USDA Acreage Reporting Deadline for Perennial Forage Changes to July 15

USDA Farm Service Agency (FSA) has established a new acreage reporting deadline for perennial forage for 2019 and subsequent years. Previously set in the fall, the new deadline is July 15 for all states, except for Hawaii and Puerto Rico.

Timely and accurate acreage reports for all crops and land uses, including prevented planting or failed acreage, are the foundation for many FSA program benefits, including disaster programs for livestock owners. Producers must report their acreage to maintain program eligibility.

Producers who have coverage for perennial forage under the Noninsured Crop Disaster Assistance Program (NAP) must report their crop acreage by the earlier of any of the following:

- the established acreage reporting date (July 15)
- 15 calendar days before the onset of harvest or grazing of the specific crop acreage being reported
- the established normal harvest date for the end of the coverage period.

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## Emergency Assistance for Livestock, Honeybee, and Farm-Raised Fish Program (ELAP)

The Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP) provides emergency assistance to eligible livestock, honeybee, and farm-raised fish producers who have losses due to disease, adverse weather or other conditions, such as blizzards and wildfires, not covered by other agricultural disaster assistance programs.

Eligible livestock losses include grazing losses not covered under the Livestock Forage Disaster Program (LFP), loss of purchased feed and/or mechanically harvested feed due to an eligible adverse weather event, additional cost of transporting water because of an eligible drought and additional cost associated with gathering livestock to treat for cattle tick fever.

Eligible honeybee losses include loss of purchased feed due to an eligible adverse weather event, cost of additional feed purchased above normal quantities due to an eligible adverse weather condition, colony losses in excess of normal mortality due to an eligible weather event or loss condition, including CCD, and hive losses due to eligible adverse weather.

Eligible farm-raised fish losses include death losses in excess of normal mortality and/or loss of purchased feed due to an eligible adverse weather event.

Producers who suffer eligible livestock, honeybee, or farm-raised fish losses from Oct. 1, 2017 to Sept. 30, 2018 must file:

- A notice of loss the earlier of 30 calendar days of when the loss is apparent or by **Dec. 3, 2018**
- An application for payment by **Dec. 3, 2018**

The following ELAP Fact Sheets (by topic) are available online:

- [ELAP for Farm-Raised Fish Fact Sheet](#)
- [ELAP for Livestock Fact Sheet](#)
- [ELAP for Honeybees Fact Sheet](#)

To view these and other FSA program fact sheets, visit the FSA fact sheet web page at [www.fsa.usda.gov/factsheets](http://www.fsa.usda.gov/factsheets).

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## Submit Loan Requests for Financing Early

The Farm Loan staff in MN are already working on operating loans for spring 2019 so it is important that potential borrowers submit their requests early so they can be timely processed. The farm loan team can help determine which loan programs are best for applicants.

FSA offers a wide range of low-interest loans that can meet the financial needs of any farm operation for just about any purpose. The traditional **farm operating and farm ownership loans** can help large and small farm operations take advantage of early purchasing discounts for spring inputs as well expenses throughout the year.

**Microloans** are a simplified loan program that will provide up to \$50,000 to eligible applicants. These loans, targeted for smaller operations and non-traditional operations, can be used for operating expenses, starting a new agricultural enterprise, purchasing equipment, and other needs associated with a farming operation. Our staff are able to provide more details on farm operating and microloans and provide loan applications. Loans to beginning farmers and members of underserved groups are a priority.

Other types of loans available include:

**Marketing Assistance Loans** allow producers to use eligible commodities as loan collateral and obtain a 9-month loan while the crop is in storage. These loans provide cash flow to the producer and allow them to market the crop when prices may be more advantageous.

**Farm Storage Facility Loans** can be used to build permanent structures used to store eligible commodities, or for storage and handling trucks, or portable or permanent handling equipment. A variety of structures are eligible under this loan, including bunker silos, grain bins, hay storage structures and refrigerated structures for vegetables and fruit. A producer may borrow up to \$500,000 per loan.

Please contact your local FSA office if you have questions about any of the loans available through our agency.

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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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## Payments to Deceased Producers

In order to claim a Farm Service Agency (FSA) payment on behalf of a deceased producer, all program conditions for the payment must have been met before the applicable producer's date of death.

If a producer earned a FSA payment prior to becoming deceased, the following is the order of precedence of the representatives of the producer:

- administrator or executor of the estate
- the surviving spouse
- surviving sons and daughters, including adopted children
- surviving father and mother
- surviving brothers and sisters
- heirs of the deceased person who would be entitled to payment according to the State law

In order for FSA to release the payment, the legal representative of the deceased producer must file a form FSA-325, to claim the payment for themselves or an estate. The county office will verify and determine that the application, contract, loan agreement, or other similar form requesting payment issuance, was signed by the applicable deadline for such form, by the deceased or a person legally authorized to act on their behalf at that time of application.

If the application, contract or loan agreement form was signed by someone other than the participant who is deceased, FSA will determine whether the person submitting the form has the legal authority to submit the form to compel FSA to pay the deceased participant.

Payments will be issued to the respective representative's name using the deceased program participant's tax identification number. Payments made to representatives are subject to offset regulations for debts owed by the deceased.

FSA is not responsible for advising persons in obtaining legal advice on how to obtain program benefits that may be due to a participant who has died, disappeared or who has been declared incompetent.

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## Farm Storage Facility Loans

FSA's Farm Storage Facility Loan (FSFL) program provides low-interest financing to producers to build or upgrade storage facilities and to purchase portable (new or used) structures, equipment and storage and handling trucks.

The low-interest funds can be used to build or upgrade permanent facilities to store commodities. Eligible commodities include corn, grain sorghum, rice, soybeans, oats, peanuts, wheat, barley, minor oilseeds harvested as whole grain, pulse crops (lentils, chickpeas and dry peas), hay, honey,

renewable biomass, fruits, nuts and vegetables for cold storage facilities, floriculture, hops, maple sap, rye, milk, cheese, butter, yogurt, meat and poultry (unprocessed), eggs, and aquaculture (excluding systems that maintain live animals through uptake and discharge of water). Qualified facilities include grain bins, hay barns and cold storage facilities for eligible commodities.

Loans up to \$50,000 can be secured by a promissory note/security agreement and loans between \$50,000 and \$100,000 may require additional security. Loans exceeding \$100,000 require additional security.

Producers do not need to demonstrate the lack of commercial credit availability to apply. The loans are designed to assist a diverse range of farming operations, including small and mid-sized businesses, new farmers, operations supplying local food and farmers markets, non-traditional farm products, and underserved producers.

To learn more about the FSA Farm Storage Facility Loan, visit [www.fsa.usda.gov/pricesupport](http://www.fsa.usda.gov/pricesupport) or contact your local FSA county office. To find your local FSA county office, visit <http://offices.usda.gov>.

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## Filing CCC-941 Adjusted Gross Income (AGI) Certifications

Many producers have experienced delays in receiving Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) payments, Loan Deficiency Payments (LDPs) and Market Gains on Marketing Assistance Loans (MALs) because they have not filed form CCC-941, *Adjusted Gross Income Certification*. No program payment can be issued to an eligible producer, including landowners who share in the crop, without a valid CCC-941 on file in the county office.

Producers without a valid CCC-941 on file for the applicable crop year will not receive payments. All farm operator/tenants/owners who have not filed a CCC-941 and have pending payments should IMMEDIATELY file the form with their recording county FSA office. Farm operators and tenants are encouraged to ensure that their landowners have filed the form.

FSA can accept the CCC-941 for 2015, 2016, 2017 and 2018. Unlike the past, producers must have the CCC-941 certifying their AGI compliance before any payments can be issued.

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## 2015 - 2019 Average Adjusted Gross Income Compliance Reviews

The AGI verification and compliance reviews for 2015, 2016, 2017, 2018 and 2019 are conducted on producers who the IRS indicated may have exceeded the adjusted gross income limitations described in [7 CFR 1400.500]. Based on this review, producers will receive determinations of eligibility or ineligibility.

If the producer is determined to have exceeded the average AGI limitation of \$900,000, receivables will be established for payments earned directly or indirectly by the producer subject to the \$900,000 limitation. The State FSA Office notifies producers selected for review. If you have any questions about the review process or determinations, please contact the MN FSA Office at 651-602-7706. Producers who receive initial debt notification letters may only appeal the amount of the debt to their local FSA office. Payment eligibility adverse determinations become administratively final 30 days from the date of the payment eligibility adverse determination letter and can only be

reopened if exceptional circumstances exist that prevented the producer from timely filing the appeal.

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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).

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