

May 2020



Farm Service Agency **Electronic News Service**

NEWSLETTER

GovDelivery

Having trouble viewing this email? [View it as a Web page.](#)

- [A Message from the State Executive Director](#)
- [FSA Highlights 2020 Spring Crop Acreage Reporting Process](#)
- [Actively Engaged Provisions for Non-Family Joint Operations or Entities](#)
- [FSA Reminds Producers of WHIP+ Ongoing Disaster Assistance Signup](#)
- [Wool, Mohair, Unshorn Pelts Trigger Loan Deficiency Payment; Marketing Assistance Loans Also Provide Potential Option for Producers](#)
- [Environmental Review Required Before Project Implementation](#)
- [FSA Loan Servicing, Other Organization Resources Available During Financial Stress](#)
- [FSA Accepting Proposals for State Acres for Wildlife Enhancement Initiative](#)
- [Requirements Outlined for CRP Emergency and Managed Haying, Grazing](#)
- [FSA Dates to Remember](#)
- [May FSA Interest Rates](#)
- [USDA Announces Improvements to Forage Seeding, Forage Production Insurance for 2021 Crop Year](#)
- [NRCS Announces May 29 Application Cutoff for CSP](#)
- [Small Business Administration Offering Agricultural Assistance Through PPP, EIDL](#)

Nebraska FSA State Office Newsletter

**Nebraska Farm Service
Agency - State Office**

7131 A Street
Lincoln, NE 68510

Phone: (402) 437-5581
Fax: (844) 930-0237

A Message from the State Executive Director

Here is what your county FSA offices are working on across the state and could use your assistance with:

Coronavirus Food Assistance Program (CFAP) – Our offices are anxiously awaiting CFAP program implementation details. CFAP will provide direct support based on losses for agriculture producers where prices and market supply chains have been significantly impacted by COVID-19. Once we have program details, we will use

State Executive Director:
Nancy Johner

State Committee:
Scott Spilker, *chair*
Geoff Ruth
Lonnie Starke
Mark Jagels

Program Chiefs:
Cathy Anderson,
Production/Compliance
Doug Klein,
Conservation/Price Support
Mark Wilke, *Farm Loans*
Tim Divis, *Executive Officer*

To find more information about FSA programming or contact information for your local office, go to www.fsa.usda.gov/ne.

this GovDelivery tool, media outlets, and our Nebraska FSA website (www.fsa.usda.gov/ne) to promote signup. You also should refer to www.farmers.gov/cfap. Please keep an eye out for additional information soon.

Spring Crop Acreage Certification – Decent weather this spring has moved planting along across the state. According to the Nebraska office of the National Agricultural Statistics Service (NASS), we are well-ahead of the five-year-average for planted corn (61% planted compared to 38%) and soybeans (32% compared to 10%). Please remember to follow the acreage reporting process outlined by your county FSA office and get in touch with them as soon as you finish planting.

Teams – If you've started to hear folks in your county office talk about this, please know it most likely isn't in reference to baseball potentially starting back up again. Teams is a software program that allows FSA county office staff to have an "in-person" meeting with you via your computer or mobile phone screen. Once you've called your county FSA office and scheduled a Teams appointment, you will be sent an email that has a link to the Teams meeting. At your appointment date and time, you click the Teams link in the email and follow the prompts to be connected through video to the County FSA office. It will be a learning process with this technology for you and us, but we think it has some great potential and would encourage you to ask about it locally.

Office Status – USDA Service Centers, including County FSA offices and the Natural Resources Conservation Service offices, are open for business only via phone appointments and are using email, mail, fax and online services as the state and nation continue to respond to COVID-19. Call your local office, and we'll be happy to assist you.

That's it for this month. Watch for more information through this GovDelivery tool as we learn the details of the CFAP rollout.

--Nancy Johner

FSA Highlights 2020 Spring Crop Acreage Reporting Process

FSA county offices currently are open for phone and virtual appointments only but can still work with producers on timely filing crop acreage reports. FSA staff can provide assistance over the phone, by email and through virtual meetings via a software program called Microsoft Teams.

The deadline for acreage certification is July 15, 2020. This includes common spring-planted crops, such as corn, soybeans, and grain sorghum, but also includes Conservation Reserve Program acres and perennial grass.

Acreage certification is required to maintain eligibility for program benefits.

Certification plans may vary by county office, but in general customers can assist FSA by paying close attention to email or mail from their County FSA office that outlines the process put in place for 2020 spring certification, and then follow the requested steps. Producers also are requested to keep good records of what is planted, where it is planted and when it was planted, and then ensure the transfer of that information to FSA using the process outlined by their county office, as soon as possible following the completion of planting.

County FSA offices are using Microsoft Teams software as an option to virtually meet with producers to review maps and documents for certification. Producers who want to schedule a virtual appointment would download the Microsoft Teams app on their smart phone and call their FSA county office to schedule an appointment. Producers also can use Microsoft Teams from their personal computer without downloading software. Producers can work with their county FSA office on the best available option for completing certification.

After completed maps and all acreage reporting information is received, county offices will make the certification updates and then contact the producer to acquire signatures on the completed *Report of Acreage* form (FSA-578).

The following exceptions apply to acreage reporting dates:

- If the crop has not been planted by the 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 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.

Producers should also report crop acreage they intended to plant, but due to natural disaster, were unable to plant. 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 USDA's Risk Management Agency.

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.

Producers with questions should contact their county FSA office.

Actively Engaged Provisions for Non-Family Joint Operations or Entities

Many Farm Service Agency programs require all program participants, either individuals or legal entities, to be "actively engaged in farming." This means participants provide a significant contribution to the farming operation, whether it is capital, land, equipment, active personal labor and/or management. For entities, each partner, stockholder or member with an ownership interest, must contribute active personal labor and/or management to the operation on a regular basis that is identifiable and documentable as well as separate and distinct from contributions of any other member. Members of joint operations must have a share of the profits or losses from the farming operation commensurate with the member's contributions to the operation and must make contributions to the farming operation that are at risk for a loss, with the level of risk being commensurate with the member's claimed share on the farming operation.

Joint operations comprised of non-family members or partners, stockholders or persons with an ownership in the farming operation must meet additional payment eligibility provisions. Joint operations comprised of family members are exempt from these additional requirements. For 2016 and subsequent crop years, non-family joint operations can have one member that may use a significant contribution of active personal management exclusively to meet the requirements to be determined "actively engaged in farming." The person or member will be defined as the farm manager for the purposes of administering these management provisions.

Non-family joint operations may request to add up to two additional managers for their farming operation based on the size and/or complexity of the operation. If additional farm managers are requested and approved, all members who contribute management are required to complete form CCC-902MR, Management Activity Record. The farm manager should use the form to record management activities including capital, labor and agronomics, which includes crop selection, planting decisions, acquisition of inputs, crop management and marketing decisions. One form should be used for each month and the farm manager should enter the number of hours of time spent for each activity under the date of the month the actions were completed. The farm manager must also document if each management activity was completed on the farm or remotely.

The records and supporting business documentation must be maintained and timely made available for review by the appropriate FSA reviewing authority, if requested.

If the farm manager fails to meet these requirements, their contribution of active personal management to the farming operation for payment eligibility purposes will be disregarded and their payment eligibility status will be re-determined for the applicable program year.

In some instances, additional persons or members of a non-family member joint operation who meet the definition of farm manager may also be allowed to use such a contribution of active personal management to meet the eligibility requirements. However, under no circumstances may the number of farm managers in a non-family joint operation exceed a total of three in any given crop and program year.

FSA Reminds Producers of WHIP+ Ongoing Disaster Assistance Signup

Farm Service Agency continues to receive applications for the Wildfire and Hurricane Indemnity Program – Plus (WHIP+) from agricultural producers who suffered eligible losses because of drought or excess moisture in 2018 and 2019. Signup for these causes of loss opened March 23, and producers who suffered losses from drought (in counties designated D3 or above), excess moisture, hurricanes, floods, tornadoes, typhoons, volcanic activity, snowstorms or wildfires can still apply for assistance through WHIP+.

To be eligible for WHIP+, producers must have suffered losses of certain crops, trees, bushes or vines in counties with a Presidential Emergency Disaster Declaration or a Secretarial Disaster Designation (primary counties only) for qualifying natural disaster events that occurred in calendar years 2018 or 2019. Also, losses located in a county not designated by the Secretary as a primary county may be eligible if a producer provides documentation showing that the loss was due to a qualifying natural disaster event.

For losses due to drought, a producer is eligible if any area of the county in which the loss occurred was rated D3, or extreme drought, or higher on the U.S. Drought Monitor during calendar years 2018 or 2019. Producers who suffered losses should contact their FSA county office.

In addition to the recently added eligible losses of drought and excess moisture, FSA will implement a WHIP+ provision for crop quality loss that resulted in price deductions or penalties when marketing crops damaged by eligible disaster events. To ensure an effective program for all impacted farmers, the Agency is currently gathering information on the extent of quality loss from producers and stakeholder organizations.

USDA Service Centers, including FSA county offices, are open for business by phone only, and field work will continue with appropriate social distancing. While program delivery staff will continue to come into the office, they will be working with producers by phone and using online tools whenever possible. All Service Center visitors wishing to conduct business with the FSA, Natural Resources Conservation Service or any other Service Center agency are required to call their Service Center to schedule a phone appointment. More information on Service Centers can be found at farmers.gov/coronavirus, and more information on WHIP+ can be found at farmers.gov/whip-plus.

Wool, Mohair, Unshorn Pelts Trigger Loan Deficiency Payment; Marketing Assistance Loans Also Provide Potential Option for Producers

Producers of wool, mohair and unshorn pelts may be eligible for Loan Deficiency Payments (LDPs) through the U.S. Department of Agriculture (USDA) Farm Service Agency (FSA).

LDPs, along with Marketing Assistance Loans (MALs), are marketing tools available to producers beginning upon shearing.

MALs help producers meet cash flow needs without selling commodities when market prices are at market lows. Producers who are eligible for marketing loans, but choose to forgo the loan, are eligible for LDPs if the posted county price falls below the county loan rate. Producers also can purchase a commodity certificate that may be exchanged for the outstanding loan collateral. Unshorn pelts are not eligible for MALs. Producers can check LDP rates on the [USDA Price Support page](#).

Eligibility Requirements

For a commodity to be eligible for a loan, LDP, or certificate, the producer must have beneficial interest in the commodity, defined as having title, possession and control of the commodity, and responsible for loss of or damage to the commodity. All related application forms must be completed at the local FSA office prior to loss of beneficial interest. Other eligibility requirements may apply; consult your local FSA office for more information.

Marketing assistance loans are available for a large number of commodities and include graded and non-graded wool and mohair. MALs requested now through Sept. 30, 2020, have a 12-month maturity.

More Information

Producers who would like more information on the availability of LDPs and MALs for wool should contact their local FSA office. To find a local office, visit www.farmers.gov and scroll to "Find Your Local Service Center."

Environmental Review Required Before Project Implementation

The National Environmental Policy Act (NEPA) requires Federal agencies to consider all potential environmental impacts for federally-funded projects before the project is approved.

For all Farm Service Agency (FSA) programs, an environmental review must be completed before actions are approved, such as site preparation or ground disturbance. These programs include, **but are not limited to**, the Emergency Conservation Program (ECP), Farm Storage Facility Loan (FSFL) program, Conservation Reserve Program, and farm loans. If project implementation begins before FSA has completed an environmental review, this will result in a denial of the request. There are exceptions regarding the Stafford Act and emergencies. It is important to wait until you receive written approval of your project proposal before starting any actions, including, but not limited to, vegetation clearing, site preparation or ground disturbance.

Remember to contact your local FSA office early in your planning process to determine what level of environmental review is required for your program application so that it can be completed timely.

Applications cannot be approved contingent upon the completion of an environmental review. FSA must have copies of all permits and plans before an application can be approved.

FSA Loan Servicing, Other Organization Resources Available During Financial Stress

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.

Farmers and ranchers also can access assistance through other entities in Nebraska that offer services during financially challenging times. The Rural Response Hotline provides referral and support services for farmers, ranchers and rural residents and their families. The number to call is (800) 464-0258.

The Nebraska Department of Agriculture manages the Negotiations Program, which offers mediation services for agricultural borrowers, creditors and USDA program participants. Through this program, participants also can access free one-on-one education on agricultural financial and legal matters. For information, call (402) 471-4876.

FSA Accepting Proposals for State Acres for Wildlife Enhancement Initiative

Farm Service Agency (FSA) is now accepting new or modified proposals from state governments for its State Acres for Wildlife Enhancement (SAFE) Initiative. Through SAFE, vital habitat is

restored to meet high-priority state wildlife conservation goals. The deadline to submit proposals is June 19.

SAFE practices must be used to restore animal habitats for the following categories:

- rare, threatened and endangered species
- species that have suffered a significant population decline
- species that provide significant social or economic value to the community.

SAFE grass and tree practices were moved to the Conservation Reserve Program (CRP) General Signup in 2019 and competed against other offers, while buffer and wetland practices remain under continuous CRP signup.

When submitted, proposals must include an overview of the project accomplishments, a list of all practices planned, the commitment of the state and participants and the planned outreach efforts.

For more information about SAFE and submitting a proposal, contact the Nebraska FSA state office at (402) 437-5581.

Requirements Outlined for CRP Emergency and Managed Haying, Grazing

Haying and grazing of land enrolled in the Conservation Reserve Program (CRP) is authorized under certain conditions to improve the quality and performance of the CRP cover or to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorizations: emergency and managed.

In certain drought or excessive moisture conditions, emergency haying and grazing can be authorized by the State FSA Committee when requested by county FSA committees.

Under normal conditions, managed haying and grazing can be requested at the local county office by the landowner or producer on the CRP contract.

Both managed and emergency haying and grazing have restrictions. This includes how frequently the CRP acres can be harvested, the amount of acres that can be harvested and which practices are eligible. The date of the contract initiation usually determines the frequency and number of acres that can be harvested.

CRP acres must be considered fully established before haying or grazing under either the emergency and managed provisions. In addition, haying or grazing CRP acres is not authorized during the primary nesting season. For Nebraska, the primary nesting season is May 1 through July 15.

There are specific requirements related to both emergency and managed haying and grazing, and all hayed and grazed acres are subject to FSA spot-check at any time during the authorization period.

It is important to contact your local FSA office prior to any haying or grazing activities on CRP acres to ensure your contract remains in compliance.

FSA Dates to Remember

May 25, 2020 – Farm Service Agency offices closed for federal holiday

June 1, 2020 – 2019 Marketing Assistance Loan availability deadline for corn, dry peas, grain sorghum, lentils, mustard seed, safflower seed, chickpeas, soybeans and sunflower seed

June 30, 2020 – 2020 enrollment deadline for the Ag Risk Coverage (ARC) and Price Loss Coverage (PLC) programs

July 15, 2020 – Deadline to report all spring-seeded crops, perennial forage and Conservation Reserve Program (CRP) acreage

****Please note any above NAP calendar references may not be inclusive for all NAP-covered crops; NAP participants should contact their County FSA Office to confirm important program deadlines.**

May FSA Interest Rates

OPERATING/OWNERSHIP

Farm Operating: 1.75%

Microloan Operating: 1.75%

Farm Ownership: 2.625%

Farm Ownership - Joint Financing: 2.5%

Farm Ownership - Down Payment: 1.5%

Emergency - Actual Loss: 2.75%

FARM STORAGE

Farm Storage Facility Loan 3 year term: 0.25%

Farm Storage Facility Loan 5 year term: 0.375%

Farm Storage Facility Loan 7 year term: 0.625%

Farm Storage Facility Loan 10 year term: 0.75%

Farm Storage Facility Loan 12 year term: 0.75%

MARKETING ASSISTANCE

Commodity Loan: 1.125%

USDA Announces Improvements to Forage Seeding, Forage Production Insurance for 2021 Crop Year

USDA's Risk Management Agency (RMA) has announced changes to the Forage Seeding and Forage Production crop insurance programs starting with the 2021 crop year. Changes include expanding coverage to new regions and counties, expanding coverage to fall-planted forage and changing the method for loss adjustment.

According to the RMA Regional Office covering Colorado, Kansas, Missouri, and Nebraska, specifically, the changes:

- Establish coverage of forage seeding in these Nebraska counties: Antelope, Banner, Boone, Box Butte, Buffalo, Burt, Cherry, Cheyenne, Cuming, Dakota, Dawes, Dawson,

Deuel, Dixon, Garden, Greeley, Holt, Kimball, Lincoln, Madison, Morrill, Pierce, Scotts Bluff, Sheridan, Sioux, Stanton, Thurston, Washington and Wayne.

- Expand coverage to fall-planted forage and better align forage seeding cancellation and termination dates with the dates for other fall planted crops in each state.
- Revise loss-adjustment procedures to rely upon the number of live alfalfa stems rather than the number of live plants for making loss determinations for forage containing more than 60 percent alfalfa.

These changes are further described in a final rule, now available on the *Federal Register* at [regulations.gov](https://www.govinfo.gov/epo/2020-05-29/2020-10-29). Interested parties are invited to comment on the rule for 60 days.

These changes take effect for crop year 2021 with policies that have a contract change date of April 30, 2020, or later. Sales closing dates follow the contract change date and vary across the country. Producers should contact a crop insurance agent for their specific sales closing date and/or more information on this announcement.

NRCS Announces May 29 Application Cutoff for CSP

The next deadline for Conservation Stewardship Program (CSP) applications is May 29, 2020. While USDA's Natural Resources Conservation Services (NRCS) accepts applications throughout the year, those interested must apply by the deadline date to be considered for funding.

CSP offers additional opportunities to expand on existing conservation efforts by offering conservation practices, enhancements, bundles, and other conservation activities.

Producers who decide to enroll in CSP will have a consultation with a local NRCS conservation planner to evaluate the current management system and the natural resources on the land. Then, the NRCS conservation planner will present a variety of CSP conservation activities for the landowner to consider implementing to address additional natural resource concerns.

Once the producer chooses the conservation activities that best fit the operation, CSP offers annual payments for installing these activities and operating and maintaining the current conservation efforts.

To apply, contact the local [NRCS field office](#).

Small Business Administration Offering Agricultural Assistance Through PPP, EIDL

The new Paycheck Protection Program and Health Care Enhancement Act provides additional resources for both the Small Business Administration's (SBA) Paycheck Protection Program (PPP) and the Economic Injury Disaster Loan (EIDL) program. Participation in SBA's PPP or EIDL program does not impact producer eligibility for USDA's forthcoming Coronavirus Food Assistance Program (CFAP). There is no linkage between the two programs. Likewise, participation in SBA's PPP or EIDL program does not impact producer eligibility for any USDA farm program. The PPP duplicate benefit provision does not have an impact on FSA farm programs or farm loan programs.

Paycheck Protection Program

The PPP is a guaranteed loan program administered by the SBA. The purpose of the program is to support small businesses and help support their payroll during the coronavirus situation.

Agricultural producers, farmers, and ranchers with 500 or fewer employees whose principal place of residence is in the United States are eligible. Other details regarding eligibility of farms and documentation necessary to apply can be found at [sba.gov](https://www.sba.gov).

Economic Injury Disaster Loan Program

In response to the Coronavirus (COVID-19) pandemic, small business owners in all U.S. states, Washington D.C., and territories are eligible to apply for an EIDL, including an advance of up to \$10,000. This advance will provide economic relief to businesses that are currently experiencing a temporary loss of revenue. Loan advances will not have to be repaid.

SBA's EIDL application portal reopened on May 4, 2020, as a result of funding authorized by Congress through the Paycheck Protection Program and Healthcare Enhancement Act.

For the first time, agricultural enterprises are now eligible for the disaster assistance from EIDL. As a result of the unprecedented legislation, American farmers, ranchers and other agricultural businesses will now have access to emergency working capital.

These low-interest, long-term loans will help keep agricultural businesses viable while bringing stability to the nation's vitally important food supply chains.

Agricultural businesses include businesses engaged in the legal production of food and fiber, ranching, and raising of livestock, aquaculture, and all other farming and agricultural related industries (*as defined by section 18(b) of the Small Business Act (15 U.S.C. 647(b))*). Eligible agricultural businesses must have 500 or fewer employees.

In order to help facilitate this important change to EIDL Loan and EIDL Advance assistance eligibility, SBA is re-opening the Loan and Advance application portal to agricultural enterprises only. For agricultural producers that submitted an EIDL loan application through the streamlined application portal prior to the legislative change, SBA will move forward and process these applications without the need for re-applying. All other EIDL loan applications that were submitted prior to April 15 will be processed on a first-in, first-out basis.

For more information, visit [sba.gov](https://www.sba.gov).

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).