

November 2013



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## From the State Executive Director

The fall harvest has extended itself into November and with that comes colder weather and fewer hours of daylight. November brings the end of daylight savings time, Thanksgiving and year end planning. But the first priority in many counties in North Dakota is to finish the harvest. I want to say thank you to producers for their understanding and patience when working in our county offices. Many county offices have fewer staff members because of budget reductions and sequestration. FSA's number one priority is to provide excellent customer service to our producers. A new farm bill will bring new opportunities for producers and the FSA staff is excited to get that going.

-- Aaron Krauter, State Executive Director

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**North Dakota State  
Office**

1025 28th St S  
Fargo, ND 58103

Phone: 701-239-5224  
Fax: 701-239-5696

**State Executive Director:**  
Aaron Krauter

**State Committee (STC)**  
Marcy Svenningson,  
Chairperson  
Todd Hall, Member  
Lynn Jacobson, Member  
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*Farm Loan Programs*  
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Brian Haugen

## Fall Acreage Reporting Deadline

Producers with the following crops have a reporting deadline of November 15 for FSA purposes: apiculture, perennial forage, PRF, rye, and all other fall-seeded small grains. Therefore, a producer planting rye in the fall of 2013 for harvest in 2014, for example, will be required to report the acreage to FSA by November 15, 2013, to be considered timely filed.

## Late-Filed Acreage Reports

The deadline for timely filing an acreage report in North Dakota for the 2013 program year was extended from July 15 to August 2, 2013. Acreage reports must be filed for all cropland on the farm before any 2012 DCP/ACRE payments can be made or before eligibility can be established for marketing assistance loans and LDP's. Additionally, participants of the Conservation Reserve Program (CRP) and the Non-insured Assistance Program (NAP) must report the specific acreage for which benefits are being requested. Although the reporting deadline has passed, county offices will accept late-filed acreage reports providing certain criteria are met. Contact your local county office for additional information relative to late-filed acreage reports.

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## County Committee Elections

Ballots for County Committee Elections will be mailed to eligible voters by November 4. Agricultural producers who are of legal voting age, participate or cooperate in any FSA program, and live in the Local Administrative Area up for election are eligible to vote. Completed ballots must be returned to your county office no later than December 2. Your county office will count the ballots no later than December 13. Contact your local office for details.

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## Commodity Loan Sequestration Reduction

The Farm Service Agency will be making several adjustments to commodity loan programs to accommodate the automatic funding reductions known as sequestration that was mandated by the Balanced Budget and Emergency Deficit Control Act of 1985 as amended by the Budget Control Act of 2011.

Marketing Assistance Loans provide interim financing for agricultural commodities to be stored after harvest and sold throughout the year. A sequester reduction of 5.1 percent will apply to crop year 2013 crop commodity loan programs for disbursements on or after October 1, 2013. The loan disbursement amount will be reduced by 5.1 percent. Repayments for these loans will be at principal plus interest, based on the loan amount as reduced for sequestration.

Loan-making for all commodities was suspended during October to modify agency software that implements the sequester reduction. FSA anticipates loan disbursements for crop year 2013 will resume in early November.

Repayment processing for all currently disbursed loans will continue in the normal manner.

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## **2013 DCP/ACRE Program – Final Payments**

Producers who timely enrolled into the 2013 DCP/ACRE program will receive the final DCP/ACRE Direct payment in its entirety in the next few weeks. The direct payments in North Dakota total approximately \$193 million.

At sign up, producers were given a CCC-509 Appendix to the signed contract. Paragraph 3P addressed payments and the subject of availability of funds. As stated in the appendix final payments may be reduced due to a sequester order required by Congress due to the Balanced Budget and Emergency Deficit Control Act of 1985. Because sequestration of commodity payments is applicable, ALL producers will have payments reduced due to sequestration by 8.6%.

If you have any questions related to receipt of the payment or payment amount please contact your local FSA office for assistance.

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## **CRP Continuous Signup Offers Affected by Expiration of 2008 Farm Bill**

The extension to the 2008 Farm Bill expired on September 30, 2013 and along with that, the authority to accept or process new offers for enrollment into CRP also ended. Currently, FSA County Offices can only maintain existing CRP contracts, and issue the following payments: cost-share payments, Signup Incentive (SIP), Practice Incentive (PIP) payments and annual rental payments.

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## **Deadline to Remove Bales from CRP**

CRP participants that received authorization to harvest forage from CRP under the Emergency or Managed Haying provisions are reminded that they need to remove bales from CRP. Due to the wet weather the state is currently experiencing, the deadline to remove bales from CRP has been extended by 30 days, to December 15, 2013.

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## **CRP Annual Rental Payments**

Nearly \$70 million in CRP annual rental payments has been disbursed to North Dakota CRP participants in the month of October. County Offices are working diligently in processing any remaining FY2013 payments.

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## **2013 Crop – NAP Notice of Loss**

Producers with a 2013 NAP policy should file a notice of loss if they believe their crops have suffered a yield loss. 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.

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.

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## 2013 ACRE Program – Farm Benchmark Yield Update

Producers who have a 2013 Average Crop Revenue Election (ACRE) program contract on one or more FSA farms, must complete the FSA-658 (Record of Production & Yield) for each ACRE farm and each covered commodity planted in 2013 by not later than July 15, 2014.

In the event a farm bill is enacted in the upcoming months, producers are encouraged to complete the 2013 production certification as soon as possible.

Production evidence that can be used to support the certified yields can be from the following sources:

- Crop Insurance loss records
- Sales records (buyer specific)
- Crop Insurance APH data base records
- Farm stored production records, appraisals

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## 2014 NAP

The Noninsured Assistance Program (NAP) provides financial assistance to eligible producers affected by a natural disaster. The program covers crops for which Federal Crop Insurance is not available. NAP covers losses greater than 50% of your expected production, based upon your approved yield and reported acreage. To apply for 2014 crop coverage, producers must complete a CCC-471 application for coverage and pay the service fee. The application and service fee must be filed by the applicable sales closing date. The service fee is \$250 per crop per county or \$750 per producer per county, not to exceed \$1875 per producer in all counties.

Producers must purchase NAP policies for rye by September 30, 2013, honey by December 2, 2013 and for all spring planted crops, including grass for hay and grazing, by the 2014 sales closing date of March 15, 2014.

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## Marketing Assistance Loans

USDA's Commodity Credit Corporation makes available nonrecourse marketing assistance loans on certain crop year 2013 commodities. These loans can be requested by mail, via 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.

Lien searches are required for all applicants and spouses to identify prior lien holders. County Offices will be updating 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 loan can be disbursed.

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.

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.

County loan rates for the 2013 crops of wheat, corn, grain sorghum, barley, oats, soybeans, dry peas, lentils, chickpeas and other oilseeds (sunflower seed, flaxseed, canola, rapeseed, safflower, mustard seed, crambe and sesame seed). The rates are posted on the Farm Service Agency (FSA) website at <http://www.fsa.usda.gov/pricesupport> .

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## Change 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. Failure to maintain accurate records with FSA on all land you have an interest in can lead to possible program ineligibility and penalties. Making the record changes now will save you time in the spring. Update signature authorization when changes in the operation occur. Producers are reminded to contact the office of a change in operations on a farm so that records can be kept current and accurate.

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## Foreign Buyers Notification

The Agricultural Foreign Investment Disclosure Act (AFIDA) requires all foreign owners of U.S. agricultural land to report their holdings to the Secretary of Agriculture. The Farm Service Agency administers this program for USDA. All individuals who are not U.S. citizens, and have purchased or sold agricultural land in the county are required to report the transaction to FSA with 90 days of the closing. Failure to submit the AFIDA form (FSA-153) could result in civil penalties of up to 25 percent of the fair market value of the property. County government offices, Realtors, attorneys and others involved in real estate transactions are reminded to notify foreign investors of these reporting requirements.

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## Important Dates and Deadlines

November 15 - 2014 Crop Year Acreage Reporting deadline for fall seeded crops

December 2 - NAP Deadline - Honey

December 2 - Last day to return county committee ballots to FSA County Office

December 15 - CRP Hay Removal Deadline

March 15 - NAP Deadline - 2014 Crop Year Spring Planted and Forage Crops

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## November Loan and Interest Rates

Commodity Loans - 1.125%  
Operating Loans - 2.125%  
Farm Ownership Loans - 4.250%  
Farm Ownership - Down Payment Loans - 1.500%  
Emergency - Amount of Actual Loss - 3.125%  
Farm Storage Facility Loan, 7-Year - 2.000%  
Farm Storage Facility Loan, 10-Year - 2.625%

Farm Storage Facility Loan, 12-Year - 2.875%

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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).