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North Dakota FSA eNews

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From the State Executive Director

Spring is trying its best to arrive with a warming sun, but snow piles lurking in the tree rows and a few flakes in the air tell me that winter is still trying to linger. Technology is changing how we live and work daily, even when we don't notice it. Technological changes are happening at FSA too. Your county office can email your annual acreage reporting maps, which you can print, or email to your agronomist, commercial applicator, or the banker if they are asking for them. If you're interested in getting your maps through email, make sure to stop in to the office and fill out a form AD-2047 so we have your email address on file.

Have a safe spring,

Aaron Krauter, State Executive Director

Beginning Farmer Down Payment Loans

The Beginning Farmer Down Payment Loan Program helps beginning farmers purchase real estate by using funds from FSA, another lender, and the applicant to accomplish the purchase.

The applicant is required to provide a minimum of a 5% down payment, FSA can contribute up to 45% of the purchase price, and a commercial lender must provide the remainder of the credit needed.

Recent changes allow FSA to increase the agency's potential contribution from \$225,000 to \$300,000.

Interested producers should contact their local Farm Loan Program team.

2014 Acreage Reporting

Acreage reports must be filed for all cropland on the farm before any 2014 Price Loss Coverage (PLC) or Agricultural Risk Coverage (ARC) payments can be made or before eligibility can be established for marketing assistance loans and Loan Deficiency Payments (LDPs). 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.

The deadline for submitting a timely filed acreage report for the 2014 crop year is July 15, 2014. Producers are reminded that filing an accurate acreage report for all crops and land uses, including failed acreage and prevented planting acreage, can prevent the loss of benefits for a variety of programs.

Producers who request prevented planting acreage credit must report the acreage and complete a CCC-576, Notice of Loss, within 15 calendar days after the final planting date for the respective crop as established by RMA or FSA. Producers must establish to the satisfaction of the County Committee that all cropland that was feasible to plant and prevented from being planted was affected by a natural disaster rather than a management decision. Additionally, producers are required to prove that preliminary efforts to plant the crop are evident, such as disking the land or orders for purchase or delivery of seed and fertilizer.

Producers requesting failed acreage credit must report the acreage before disposition of the crop to receive credit for that crop. The County Committee must be satisfied that the acreage was planted under normal conditions, but failed as a result of a natural disaster and not a management decision.

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New Average AGI Limitation

With the passage of the 2014 Farm Bill, a new AGI limitation has been established for program eligibility purposes. If the participant's average AGI exceeds \$900,000, the person or legal entity will be ineligible for payments and benefits as follows for the respective programs/years:

- October 2, 2011, and subsequent years – LIP, LFP, ELAP, and TAP
- 2014 and subsequent years – NAP
- 2014 through 2018 – ARC, PLC, LDP, and MLG
- 2015 and subsequent years – Conservation-related programs.

The average AGI is based on the average of adjusted gross income for the 3 taxable years preceding the most immediately preceding complete taxable year. For the 2014 program year, for example, the 3 taxable years for AGI purposes would include 2010, 2011, and 2012.

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2014 Payment Limitations

The method in which FSA limits payments for program years 2014 through 2018 will continue to be via direct attribution. Direct attribution means that payments to legal entities, such as corporations, limited partnerships, limited liability companies, and other similar entities, are limited by attributing the payment to an individual based on his/her direct and indirect interest in the entity.

The following are program limitations for the 2014 program year:

Price Loss Coverage (PLC), Agricultural Risk Coverage (ARC), LDP's, and MLG's; \$125,000

CRP; \$50,000

LIP, LFP, & ELAP; \$125,000

NAP; \$125,000

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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.

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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Noninsured Crop Disaster Assistance Program (NAP) Production Evidence

If you had 2013 NAP Coverage, you must provide acceptable production evidence by the subsequent year's acreage production date to calculate the APH 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 update the APH yield is July 15, 2014.

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Livestock Disaster Programs

Enrollment for the disaster programs authorized by the 2014 Farm Bill, including the Livestock Indemnity Program (LIP), the Livestock Forage Disaster Program (LFP) and the Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program (ELAP) began on April 15, 2014.

While LIP and LFP have program years based on the calendar year, ELAP program year is based on a fiscal year, beginning October 1 and ends on the following September 30th. For ELAP losses, such as honeybee colony collapse disorder (CCD), producers have until August 1, 2014 to complete a 2012 and/or 2013 application for payment and provide supporting documentation. For fiscal year 2014, the deadline to file an ELAP application for payment and provide supporting documentation is November 1, 2014.

Farmers and ranchers should ensure their farm records and business structures are current at their local FSA Office prior to making application for either program.

While any producer may report farm records and business structure changes, it is especially important for producers who suffered livestock, livestock grazing, honeybee, farm-raised fish, or tree/vine losses for 2011, 2012, 2013 or 2014, and may be eligible for assistance through one of the four disaster programs.

Program Fact Sheets for each of the Livestock Disaster Programs are available online at <http://www.fsa.usda.gov/FSA/newsReleases?area=newsroom&subject=landing&topic=pfs&newstype=pfactsheet>

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Livestock Forage Disaster Program

Enrollment for the Livestock Forage Disaster Program (LFP) began on April 15, 2014. Producers who grazed pastures in Divide, Burke, Golden Valley, Billings, Stark, Slope, Bowman, Benson, Ramsey, Nelson, Grand Forks, Eddy, Foster, Griggs, Steele, Traill, Stutsman, Barnes, Cass, Logan, McIntosh, LaMoure, Dickey, Ransom or Sargent Counties in 2012 may be eligible for LFP benefits.

In preparation for making an LFP application, producers should compile data including, but not limited to: legal descriptions where eligible livestock were grazing, dates when grazing occurred on eligible pasture/rangeland and number of livestock grazing. In addition, producers may have to file an acreage report on eligible pasture/rangeland as part of the application process. The LFP application must be filed in the FSA administrative county for the land.

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Livestock Indemnity Program

Enrollment for the Livestock Indemnity Program (LIP) began on April 15, 2014.

Livestock producers who suffered livestock deaths due to eligible adverse weather events from October 1, 2011 through December 31, 2014 have until January 30, 2015 to file a notice of loss and application for payment. In preparation for making an application for LIP, producers should compile records such as dates of livestock deaths, beginning and ending inventories for each applicable year, calving records, adverse weather events, etc. The notice of loss and application for payment must be filed in the producer's administrative FSA Office.

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Emergency Assistance for Livestock, Honeybees and Farm Raised Fish Program

The Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP) covers losses due to eligible adverse weather or loss conditions, including blizzards and wildfires that occurred on or after October 1, 2011.

Eligible honeybees include bees housed in a managed hive and used for honey production, pollination or honeybee breeding. Assistance is provided for losses in excess of normal mortality and covers damage to honeybee hives and honeybee feed that was purchased or produced for eligible honeybees, including additional feed purchased above normal quantities to sustain honeybees until such time that additional feed becomes available.

Recipients of ELAP payments may receive a pro-rated reduced payment should the total annual national demand for ELAP exceed \$20 million in a fiscal year.

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2013 Crop Commodity Loan Deadline

Producers planning to use the commodity loan program for their 2013 crops are reminded that May 31, 2014, is the deadline for filing applications for the following 2013 crops: corn, dry peas, grain sorghum, lentils, mustard, safflower, chickpeas, soybeans and sunflowers.

These loans carry a nine month maturity and can be repaid with cash at disbursement to loan maturity. To be eligible, producers must have produced an eligible loan commodity during for the applicable crop year, complied with annual program requirements, maintain beneficial interest (have title to the commodity and retain control of the commodity), request MAL on or before the final loan availability date for a specific commodity, and, if required, submit lien waivers for any liens existing on the crop for which MAL is being requested.

Producers interested in a commodity loan on the above listed commodities should contact their local county FSA office staff prior to the loan deadline. Since May 31, in calendar year 2014 falls on a nonworkday, the loan deadline is extended to June 2, 2014.

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Commodity Loan Rates for 2014 – Wheat, Feed Grains, Pulse Crops and Oilseeds

County loan rates have been announced for the 2014 crops of wheat, corn, grain sorghum, barley, oats, soybeans, lentils, dry peas, 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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Dates of Soybean Request for Referendum

USDA has announced a Request for Referendum to be held May 5, 2014, through May 30, 2014, in county USDA Farm Service Agency (FSA) offices.

The Act requires that a request for referendum be held every five years following the initial referendum. The previous request for referendum was held in 2009. Only eligible soybean producers wishing to request a referendum on the Order participate. Those producers who do not want a referendum on the Order would not participate. Participating in the request of referendum is voluntary. Eligible producers participating in the request for referendum must certify that they or the entity they are authorized to represent paid an assessment at some time during January 1, 2012, through December 31, 2013.

To request a referendum, a producer will complete form LS-51-1, and provide supporting documentation showing that soybean assessments were paid during the representative period (January 1, 2012, through December 31, 2013). Form LS-51-1 may be obtained from FSA county offices or via the Internet at <http://www.ams.usda.gov/AMSV1.0/SoybeaninformationontheSoybeanRequestforReferendum> during the Request for Referendum period.

Completed LS-51-1's and supporting documentation must be returned to the county FSA office where your farm records are maintained by fax or in person no later than close of business May 30, 2014; or if returned by mail, must be postmarked by midnight May 30, 2014, and received in the county FSA office by close of business on June 5, 2014.

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Updated Fruit and Vegetable Planting Rules

Producers who intend to participate in the 2014 Agriculture Risk Coverage (ARC) or Price Loss Coverage (PLC) programs are subject to an acre-for-acre payment reduction when fruits and nuts, vegetables (FAVs) or wild rice (WR) are planted on the payment acres of a farm. Payment reductions do not apply to mung beans, dry peas, lentils or chickpeas. Planting FAVs on acres that are not considered payment acres will not result in a payment reduction. Farms that are eligible to participate in ARCPLC but are not enrolled for a particular year may plant unlimited FAVs for that year but will not receive ARCPLC payments for that year. Eligibility for succeeding years is not affected.

Starting in the 2014 crop year, a planting history of fruits and vegetables is no longer required to plant those crops on a farm's payment acres. However, planting and harvesting fruits, vegetables and wild rice on ARCPLC acreage is subject to the acre-for-acre payment reduction when those crops are planted on either more than 15 percent of the base acres of a farm enrolled in ARC using the county coverage or PLC, or more than 35 percent of the base acres of a farm enrolled in ARC using the individual coverage.

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Acreage Reporting Maps

Due to current budget constraints, County Offices will not be mailing maps to producers for 2014 acreage reporting purposes. Instead, producers are encouraged to pick up their maps at their local office. Maps can also be provided via email as a printable PDF document. If interested in receiving maps via email, contact your local office to make sure your email address is on file and current.

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Important Dates and Deadlines

May 30 - Soybean Request for Referendum Deadline

May 31 - Crop Commodity Loan Deadline

June 15 - County Committee Nomination Period begins

July 15 - 2013 ACRE and NAP Production Evidence Deadline

July 15 - Acreage Reporting Deadline for 2014 Crop Year

August 1 - 2014 Land and Ownership Changes

August 1 - Last day to file County Committee Election Nomination Forms

November 3 - County Committee Election ballots mailed to eligible voters

November 15 - 2015 Crop Year Acreage Reporting deadline for fall seeded crops

December 1 - Last day to return County Committee ballots to FSA County Office

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May Loan and Interest Rates

Commodity Loans - 1.125%

Operating Loans - 2.125%

Farm Ownership Loans - 4.00%

Farm Ownership - Down Payment Loans - 1.50%

Emergency - Amount of Actual Loss - 3.125%

Farm Storage Facility Loan, 7-Year - 2.250%

Farm Storage Facility Loan, 10-Year - 2.750%

Farm Storage Facility Loan, 12-Year - 2.875%

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