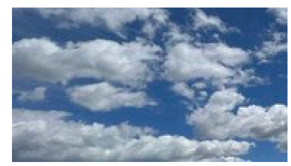
U.S. DEPARTMENT OF AGRICULTURE

Crook County USDA Service Center - JUNE 2022

Farm Service Agency | **Natural Resources Conservation Service** | **Risk Management Agency**

Staci's Corner



Just like that, Spring turned into Summer. Crook County was fortunate enough to be on the receiving end of those late spring snows and that early May rain. We have moved out of the D2 status as of the June 2, 2022 report.

As you wrap up your brandings and dockings, please remember those tally marks and notebook pages are Contemporaneous records and the Vet invoices are Reliable records that can be used for the Livestock Indemnity Program storm deaths. Good record keeping ALWAYS helps to keep the programs easier to administer.

We are taking appointments and processing the 2022 Spring Crop Acreage Reports RIGHT NOW! Remember to call and make your appointment as soon as possible, as the ***deadline is July 15, 2022***. Don't wait to make it on July 13th…. These crop reports are what we use to provide your eligibility for all our FSA programs.

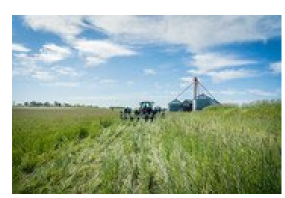
If you have called the office this past week, you might have heard a new voice. We are happy to welcome our new Program Technician, Bailey Middleton to the FSA team! She is learning as fast as we can throw information at her.

DEADLINES:
Friday, July 15, 2022 – Spring Crop Acreage Reports Due

OFFICE CLOSED:
Monday, June 20th – Juneteenth (Observed)
Monday, July 4th – Independence Day
Monday, September 5th – Labor Day

If you have any questions about programs, or anything really, please contact our office. We are in the office Monday through Friday and available from 8am to 4:30pm.

USDA to Provide $6 billion to Commodity and Specialty Crop Producers Impacted by 2020 and 2021 Natural Disasters



The U.S. Department of Agriculture (USDA) today announced that commodity and specialty crop producers impacted by natural disaster events in 2020 and 2021 will soon begin receiving emergency relief payments totaling approximately $6 billion through the Farm Service Agency's (FSA) new Emergency Relief Program (ERP) to offset crop yield and value losses.

Background

On September 30, 2021, President Biden signed into law the *Extending Government Funding and Delivering Emergency Assistance Act* (P.L. 117-43), which includes $10 billion in assistance to agricultural producers impacted by wildfires, droughts, hurricanes, winter storms, and other eligible disasters experienced during calendar years 2020 and 2021. FSA recently made payments to ranchers impacted by drought and wildfire through the first phase of the Emergency Livestock Relief Program (ELRP). ERP is another relief component of the Act.

For impacted producers, existing [Federal Crop Insurance] or [Noninsured Crop Disaster Assistance Program] (NAP) data is the basis for calculating initial payments. USDA estimates that phase one ERP benefits will reach more than 220,000 producers who received indemnities for losses covered by federal crop insurance and more than 4,000 producers who obtained NAP coverage for 2020 and 2021 crop losses.

ERP Eligibility – Phase One

ERP covers losses to crops, trees, bushes, and vines due to a qualifying natural disaster event in calendar years 2020 and 2021. Eligible crops include all crops for which crop insurance or NAP coverage was available, except for crops intended for grazing. Qualifying natural disaster events include wildfires, hurricanes, floods, derechos, excessive heat, winter storms, freeze (including a polar vortex), smoke exposure, excessive moisture, qualifying drought, and related conditions.

For drought, ERP assistance is available if any area within the county in which the loss occurred was rated by the U.S. Drought Monitor as having a:

D2 (severe drought) for eight consecutive weeks; or
D3 (extreme drought) or higher level of drought intensity.

Lists of 2020 and 2021 drought counties eligible for ERP is available on the emergency relief website.

To streamline and simplify the delivery of ERP phase one benefits, FSA will send pre-filled application forms to producers where crop insurance and NAP data are already on file. This form includes eligibility requirements, outlines the application process and provides ERP payment calculations. Producers will receive a separate application form for each program year in which an eligible loss occurred. Receipt of a pre-filled application is not confirmation that a producer is eligible to receive an ERP phase one payment.

Additionally, producers must have the following forms on file with FSA within 60 days of the ERP phase one deadline, which will later be announced by FSA's Deputy Administrator for Farm Programs:

- Form AD-2047, *Customer Data Worksheet.*
- Form CCC-902, *Farm Operating Plan* for an individual or legal entity.
- Form CCC-901, *Member Information for Legal Entities* (if applicable).
- Form FSA-510, *Request for an Exception to the $125,000 Payment Limitation for Certain Programs* (if applicable).
- Form CCC-860, *Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification*, if applicable, for the 2021 program year.
- A highly erodible land conservation (sometimes referred to as HELC) and wetland conservation certification (Form AD-1026 *Highly Erodible Land Conservation (HELC) and Wetland Conservation (WC) Certification*) for the ERP producer and applicable affiliates.

Most producers, especially those who have previously participated in FSA programs, will likely have these required forms on file. However, those who are uncertain or want to confirm the status of their forms can contact their local FSA county office.

ERP Payment Calculations – Phase One

For crops covered by crop insurance, the ERP phase one payment calculation for a crop and unit will depend on the type and level of coverage obtained by the producer. Each calculation will use an ERP factor based on the producer's level of crop insurance or NAP coverage.

- **Crop Insurance** – the ERP factor is 75% to 95% depending on the level of coverage ranging from catastrophic to at least 80% coverage.
- **NAP** – the ERP factor is 75% to 95% depending on the level of coverage ranging from catastrophic to 65% coverage.

Full ERP payment calculation factor tables are available on the emergency relief website and in the program fact sheet.

Applying ERP factors ensures that payments to producers do not exceed available funding and that cumulative payments do not exceed 90% of losses for all producers as required by the Act.

Also, there will be certain payment calculation considerations for area plans under crop insurance policies.

The ERP payment percentage for historically underserved producers, including beginning, limited resource, socially disadvantaged, and veteran farmers and ranchers will be increased by 15% of the calculated payment for crops having insurance coverage or NAP.

To qualify for the higher payment percentage, eligible producers must have a CCC-860, *Socially Disadvantaged, Limited Resource, Beginning and Veteran Farmer or Rancher Certification*, form on file with FSA for the 2021 program year.

Because the amount of loss due to a qualifying disaster event in calendar years 202 and 2021 cannot be separated from the amount of loss caused by other eligible causes of loss as defined by the applicable crop insurance or NAP policy, the ERP phase one payment will be calculated based on the producer's loss due to *all eligible causes of loss*.

Future Insurance Coverage Requirements

All producers who receive ERP phase one payments, including those receiving a payment based on crop, tree, bush, or vine insurance policies, are statutorily required to purchase crop insurance, or NAP coverage where crop insurance is not available, for the next two available crop years, as determined by the Secretary. Participants must obtain crop insurance or NAP, as may be applicable:

- At a coverage level equal to or greater than 60% for insurable crops; or
- At the catastrophic level or higher for NAP crops.

Coverage requirements will be determined from the date a producer receives an ERP payment and may vary depending on the timing and availability of crop insurance or NAP for a producer's particular crops. The final crop year to purchase crop insurance or NAP coverage to meet the second year of coverage for this requirement is the 2026 crop year.

Emergency Relief – Phase Two (C*rop and Livestock Producers*)

Today's announcement is only phase one of relief for commodity and specialty crop producers. Making the initial payments using existing safety net and risk management data will both speed implementation and further encourage participation in these permanent programs, such as Federal crop insurance, as Congress intended.

The second phase of both ERP and ELRP programs will fill gaps and cover producers who did not participate in or receive payments through the existing programs that are being leveraged for phase one implementation. When phase one payment processing is complete, the remaining funds will be used to cover gaps identified under phase two.

Through proactive communication and outreach, USDA will keep producers and stakeholders informed as program details are made available. More information on ERP can be found in the Notice of Funding Availability.

Additional Commodity Loss Assistance

The Milk Loss Program and On-Farm Stored Commodity Loss Program are also funded through the *Extending Government Funding and Delivering Emergency Assistance Act* and will be announced in a future rule in the Federal Register.

More Information

Additional USDA disaster assistance information can be found on farmers.gov, including the Disaster Assistance Discovery Tool, Disaster-at-a-Glance fact sheet, and Farm Loan Discovery Tool. For FSA and Natural Resources Conservation Service programs, producers should contact their local USDA Service Center. For assistance with a crop insurance claim, producers and landowners should contact their crop insurance agent.

Cover Crops Play a Starring Role in Climate Change Mitigation

On your own land, you've probably seen evidence that climate change is happening – things like extreme weather events or changes in growing seasons over the years. America's rural communities are on the frontlines of climate change, and now is the time for agriculture, forestry, and rural communities to act.

There are various ways to help mitigate the effects of climate change on your land and improve your bottom line at the same time. One very effective way is by planting cover crops.

Cover crops offer agricultural producers a natural and inexpensive climate solution through their ability to capture atmospheric carbon dioxide (CO^2) into soils. But cover crops don't just remove CO^2 from the atmosphere, they also help make your soil healthier and your crops more resilient to a changing climate.

Healthy soil has better water infiltration and water holding capacity and is less susceptible to erosion from wind and water.

Cover crops also trap excess nitrogen – keeping it from leaching into groundwater or running off into surface water – releasing it later to feed growing crops. This saves you money on inputs like water and fertilizer and makes your crops more able to survive in harsh conditions.

USDA's Cover Crop Support

During the past year, USDA has made a number of strides to encourage use of cover crops. Earlier this month, USDA's Natural Resources Conservation Service (NRCS) formed a new partnership with Farmers For Soil Health. We also launched a new Cover Crop Initiative in 11 states through the Environmental Quality Incentives Program (EQIP), targeted $38 million to help producers mitigate climate change through adoption of cover crops.

In fiscal 2021, NRCS provided technical and financial assistance to help producers plant 2.3 million acres of cover crops through EQIP.

We've also recognized the importance of supporting cover crops through crop insurance. USDA's Risk Management Agency (RMA) recently provided $59.5 million in premium support for producers who planted cover crops on 12.2 million acres through the new Pandemic Cover Crop Program. Additionally, RMA recently updated policy to allow producers with crop insurance to hay, graze or chop cover crops at any time and still receive 100% of the prevented planting payment. This policy change supports use of cover crops, which can help producers build resilience to drought. Visit RMA's Conservation webpage to learn more.

Working together, we can lead the way through climate-smart solutions that will improve the profitability and resilience of producers and foresters, open new market opportunities, and build wealth that stays in rural communities. Our support for cover crops are part of a much broader effort at USDA to address climate change. To learn more, read USDA's January 18, 2022 news release.

Cover crops are not only good for rural communities, but also for urban areas. Late last year, the NRCS National Plant Materials Center planted cover crops in the urban garden in front of USDA's Washington, D.C. Headquarters. See how cover crops are also great for the urban farmer or backyard gardener.

To learn more, visit farmers.gov/conserve/soil-health, watch our Conservation at Work video on cover crops, or contact your local USDA Service Center.

Signature Policy

Using the correct signature when doing business with FSA can save time and prevent a delay in program benefits.

The following are FSA signature guidelines:

- A married woman must sign her given name: Mrs. Mary Doe, not Mrs. John Doe
- For a minor, FSA requires the minor's signature and one from the minor's parent

Note, by signing a document with a minor, the parent is liable for actions of the minor and may be liable for refunds, liquidated damages, etc.

When signing on one's behalf the signature must agree with the name typed or printed on the form or be a variation that does not cause the name and signature to be in disagreement. Example - John W. Smith is on the form. The signature may be John W. Smith or J.W. Smith or J. Smith. Or Mary J. Smith may be signed as Mrs. Mary Joe Smith, M.J. Smith, Mary Smith, etc.

FAXED signatures will be accepted for certain forms and other documents provided the acceptable program forms are approved for FAXED signatures. Producers are responsible for the successful transmission and receipt of FAXED information.

Spouses may sign documents on behalf of each other for FSA and CCC programs in which either has an interest, unless written notification denying a spouse this authority has been provided to the county office.

Spouses cannot sign on behalf of each other as an authorized signatory for partnerships, joint ventures, corporations or other similar entities. Likewise, a spouse cannot sign a document on behalf of the other in order to affirm the eligibility of oneself.

Any member of a general partnership can sign on behalf of the general partnership and bind all members unless the Articles of Partnership are more restrictive. Spouses may sign on behalf of each other's individual interest in a partnership, unless notification denying a spouse that authority is provided to the county office. Acceptable signatures for general partnerships, joint ventures, corporations, estates, and trusts must consist of an indicator "by" or "for" the individual's name, individual's name and capacity, or individual's name, capacity, and name of entity.

For additional clarification on proper signatures contact your local FSA office.

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. Foreign persons who have purchased or sold agricultural land in the county are required to report the transaction to FSA within 90 days of the closing. Failure to submit the AFIDA form 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. The data gained from these disclosures is used in the preparation of periodic reports to the President and Congress concerning the effect of such holdings upon family farms and rural communities. Click here for more information on AFIDA.

Disaster Set-Aside Program for Farm Loan Borrowers

Farm Service Agency (FSA) borrowers with farms located in designated primary or contiguous disaster areas who are unable to make their scheduled FSA loan payments should consider the Disaster Set-Aside (DSA) program.

DSA is available to producers who suffered losses as a result of a natural disaster and relieves immediate and temporary financial stress. FSA is authorized to consider setting aside the portion of a payment/s needed for the operation to continue on a viable scale.

Borrowers must have at least two years left on the term of their loan in order to qualify.

Borrowers have eight months from the date of the disaster designation to submit a complete application. The application must include a written request for DSA signed by all parties liable for the debt along with production records and financial history for the operating year in which the disaster occurred. FSA may request additional information from the borrower in order to determine eligibility.

All farm loans must be current or less than 90 days past due at the time the DSA application is complete. Borrowers may not set aside more than one installment on each loan.

The amount set-aside, including interest accrued on the principal portion of the set-aside, is due on or before the final due date of the loan.

For more information, contact your FSA Loan Office at 307-682-8843 ext. 2 or visit fsa.usda.gov.

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USDA Service Center

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