

February 2019



Farm Service Agency **Electronic News Service**

NEWSLETTER

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Montana FSA: February 2019 Newsletter

USDA Farm Service Agency - Montana

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Message from the State Executive Director

It's great to have our county offices open again to provide our full range of services for the ag producers of Montana!

The 2018 Farm Bill was enacted December 20, 2018. Through the Farm Bill, USDA's Farm Service Agency (FSA) supports America's farmers and ranchers through a variety of farm loans, safety net, conservation and disaster assistance programs. We're evaluating changes the Farm Bill made to the programs that we administer, and we'll work to implement those changes as quickly as possible.

Market Facilitation Program Feb. 14 Deadline: In December, USDA launched the second and final round of trade mitigation payments aimed at assisting farmers suffering from damage due to unjustified trade retaliation by foreign nations. Producers of certain commodities need only sign-up once for the Market Facilitation Program (MFP) to be eligible for the first and second payments. MFP sign-up period runs through **Feb. 14, 2019**, with information and instructions provided at www.farmers.gov/mfp. Producers must complete an application with FSA by Feb. 14, 2019, but have until May 1, 2019, to certify their 2018 production. Additional program details are in this newsletter. Contact your local FSA office for assistance.

2018 Livestock Indemnity Program (LIP) March 1 Deadline: All applications for payment and supporting documentation must be filed by **March 1, 2019** for

Directories:

[Online Directory of FSA Offices in Montana](#)

[PDF of Montana FSA Directory](#)

[PDF of Montana USDA Directory](#)

Special Accommodations:

Special accommodations will be made upon request for individuals with disabilities, vision impairment or hearing impairment. If accommodations are required, individuals should contact the county FSA office directly or by phone or the Federal Relay Service at 1-800-877-8339 . Alternatively, you may contact Montana FSA Civil Rights Coordinator Jennifer Cole at (406) 654.1333 , ext. 117 or jennifer.cole@mt.usda.gov.

livestock losses that were timely filed. Contact your local FSA office ASAP to ensure your LIP applications are completed by March 1.

With the 2019 calving season underway for some, FSA reminds Montana livestock producers the importance of record keeping and timely reporting your loss to FSA.

To participate in livestock disaster assistance programs - LIP and Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP) - producers are required to provide verifiable documentation of death losses resulting from an eligible adverse weather event and to submit a notice of loss to their local FSA office **within 30 calendar days** of when the loss of livestock is apparent. FSA requires verifiable proof of death loss or reliable proof of death loss with verifiable proof of beginning inventory. Notice of losses can be filed with FSA via email, telephone, fax or office visit.

I want to emphasize a very important point. If, due to adverse weather events, producers sustain livestock losses or purchase livestock feed beyond the normal amount, you need to call or visit your local FSA office as soon as possible to report those losses and purchases and clearly establish what steps you need to take in order to comply with the requirements of LIP and ELAP and be considered for possible relief under those programs.

The next article outlines any program deadlines that were temporarily extended due to the partial government shutdown. FSA offices across Montana are on hand to assist you.

Sincerely,
Mike Foster

Some FSA Program Deadlines Extended

USDA's Farm Service Agency extended deadlines on some of its programs because of the government shutdown and the emergency nature of the programs. Below are updated deadlines:

*** For details on all program deadlines and extensions, view [FSA National Notice CM-807](#).

Market Facilitation Program

- *Deadline to apply extended to Feb. 14, 2019*

Marketing Assistance Loans

- *If loan matured in December 2018, settlement date extended to Feb. 14, 2019*
- *Peanut loans or Loan Deficiency Payments - loan availability date now Feb. 28, 2019*

Emergency Conservation Program

- *Performance reporting due Feb. 14, 2019*

Livestock Forage Disaster Program – Drought Losses (Sanders, Flathead & Lincoln counties only)

- *2018 application for payment and all required supporting documentation due Feb. 28, 2019*

Livestock Forage Disaster Program - Fire Losses (Lewis and Clark County only)

- *2018 application for payment and all required supporting documentation due Feb. 28, 2019*

Emergency Assistance Livestock, Honey Bees, and Farm-raised Fish Program

- *Notice of loss due Feb. 14, 2019*

Livestock Indemnity Program

- *Notice of loss due Feb. 14, 2019 - If the deadline for filing a notice of loss under LIP occurred between December 31, 2018 and January 23, 2019, the notice of loss will be considered timely filed if submitted and filed with FSA by February 14, 2019.*

Noninsured Crop Disaster Assistance Program

- *Notice of loss for 72-hour harvest and grazing (as applicable) due Feb. 14, 2019 (Please contact your local office to determine whether this applies to you, as dates vary.)*
- *Notice of loss for prevented planting and failed acres due Feb. 14, 2019*
- *Applications for payment for 2018 covered losses due Feb. 14, 2019 (Please contact your local office to determine whether this applies to you, as dates vary.)*

Tree Assistance Program

- *Notice of loss due Feb. 14, 2019*

Acres Reporting

- *January reporting deadline (Honey covered under NAP, Established Stand Alfalfa Seed, Fall Alfalfa Seed and Cherries) extended to Feb. 14, 2019*

For inquiries related to these programs or any not listed above, please contact your local [USDA Service Center](#).

Market Facilitation Program (MFP) Deadline is February 14

USDA launched the second and final round of trade mitigation payments aimed at assisting farmers suffering from damage due to unjustified trade retaliation by foreign nations. Producers of certain commodities will now be eligible to receive Market Facilitation Program (MFP) payments for the second half of their 2018 production.

USDA's Farm Service Agency (FSA) has been administering MFP to provide the first payments to producers since Sept. 2018 for the first 50 percent of their 2018 production, and began issuing the second payments for the second 50 percent of 2018 production in late Dec. 2018. MFP provides payments to almond, cotton, corn, dairy, hog, sorghum, soybean, fresh sweet cherry, and wheat producers.

Producers need only sign-up once for the MFP to be eligible for the first and second payments. The MFP sign-up period runs through Feb. 14, 2019, with information and instructions provided at www.farmers.gov/mfp. Producers must complete an application by Feb. 14, 2019, but have until May 1, 2019, to certify their 2018 production.

Eligible producers should apply after harvest is complete, as payments will only be issued once production is reported.

For farmers who have already applied, completed harvest, and certified their 2018 production, a second payment will be issued on the remaining 50 percent of the producer's total production, multiplied by the MFP rate for the specific commodity. The MFP payment rates are:

- **Corn - \$0.01 per bushel**
- **Cotton - \$0.06 per pound**
- **Dairy (milk) - \$0.12 per cwt.**
- **Fresh Sweet Cherries - \$0.16 per pound**
- **Pork (hogs) - \$8.00 per head**
- **Shelled Almonds - \$0.03 per pound**
- **Soybeans - \$1.65 per bushel**
- **Sorghum - \$0.86 per bushel**
- **Wheat - \$0.14 per bushel**

** Total payment rate on 100% of production

2019 NAP: USDA Encourages Producers to Consider Risk Protection Coverage: March 15th Deadline

Montana producers have until **March 15, 2019** to sign-up for FSA's Noninsurable Crop Disaster Assistance Program (NAP) coverage for all **2019 Spring Crops** excluding spring seeded rye, speltz, triticale, wheat and mixed forage.

NAP provides a catastrophic level (CAT) coverage based on the amount of loss that exceeds 50 percent of the expected production at 55 percent of the average market price for the crop.

In order to meet eligibility requirements for NAP, crops must be noninsurable, commercially-produced agricultural commodity crops for which the catastrophic risk protection level of crop insurance is not available. If the Risk Management Agency (RMA) offers coverage for a crop in the county, NAP coverage is not available for that crop. For questions regarding insurability of a crop, please contact your local crop insurance agent. For information on whether a crop is eligible for NAP coverage, please contact your local FSA office.

The NAP service fee for all coverage levels is the lesser of \$250 per crop or \$750 per producer per administrative county, not to exceed a total of \$1,875 for a producer with farming interest in multiple counties. FSA will waive NAP service fees for underserved, limited resource, and beginning farmers. For questions regarding NAP, please contact your local FSA office.

For more information, visit the national NAP page at: <http://www.fsa.usda.gov/nap>.

[NAP Program Factsheet](#) (pdf)

2019 CRP Spring Managed Grazing Period: March 16-May 14

Spring Managed Grazing: Livestock must be removed from CRP by May 14

Primary Nesting Season: May 15 to July 15

The Conservation Reserve Program (CRP) 2019 Spring Managed Grazing Period is March 16 to May 14, 2019. Livestock must be removed when the calculated AUMs have been utilized but no later than May 14th.

Summer/Fall Managed Harvesting Period begins July 16 following Montana's Primary Nesting Season and ends no later than Sept. 30. Summer/Fall Grazing Period begins July 16 and ends when the calculated AUMs have been utilized or no later than Sept. 13.

Producers are reminded to sign up at their local FSA office and complete a CRP-117 form for FSA office approval before conducting any managed harvesting and/or grazing activity.

USDA Commodity Loans Available to Montana Producers

Farm Service Agency reminds Montana producers that Marketing Assistance Loans (MALs) and Loan Deficiency Payments (LDPs) are available to help producers through periods of low market prices. The 2014 Farm Bill authorized MALs and LDPs for the 2014 to 2018 crop years.

MALs provide interim financing and allow producers to delay the sale of the commodity at harvest-time lows and wait until more favorable market conditions emerge. A producer who is eligible to obtain a loan, but agrees to forgo the loan, may obtain an LDP if such a payment is available.

The Final availability date for Loans and LDPs for 2018 Barley, Canola, Crambe, Flaxseed, Honey, Oats, Rapeseed, Wheat and Sesame Seed is **April 1, 2019**.

FSA offices are accepting requests for 2018 MALs and LDPs for all eligible commodities after harvest.

Before MAL and LDP disbursements can be made, producers must meet the requirements of actively engaged in farming, cash-rent tenant and member contribution. Before loan disbursement, applicants will be required to provide a form CCC-679, Lien Waiver, for each lienholder discovered on a lien search. In order to meet eligibility requirements, producers must retain beneficial interest in the commodity, meaning they have control of the commodity or a title to the commodity, until the MAL is repaid or the Commodity Credit Corporation takes title to the commodity.

The 2014 Farm Bill also establishes payment limitations per individual or entity not to exceed \$125,000 annually on certain commodities for the following program benefits: Agriculture Risk Coverage and Price Loss Coverage payments, Marketing Loan Gains and LDPs. These payment limitations do not apply to MAL disbursements.

Producers or legal entities whose total applicable three-year average adjusted gross income exceeds \$900,000 are not eligible for Marketing Loan Gains and LDPs, but are eligible for MALs repaid at principal plus interest.

For more information, please visit your local FSA office or www.fsa.usda.gov. To find your local USDA service center, visit www.farmers.gov.

[Commodity Loans Factsheet](#)

Livestock Inventory Records

Montana producers are reminded to keep updated livestock inventory records. These records are necessary in the event of a natural disaster.

When disasters strike, the USDA Farm Service Agency can assist producers who suffered excessive livestock death losses and grazing or feed losses due to eligible natural disasters.

To participate in livestock disaster assistance programs, producers will be required to provide verifiable documentation of death losses resulting from an eligible adverse weather event and must submit a notice of loss to their local FSA office within 30 calendar days of when the loss of livestock is apparent. For grazing or feed losses, producers must submit a notice of loss to their local FSA office within 30 calendar days of when the loss is apparent and should maintain documentation and receipts.

Producers should record all pertinent information regarding livestock inventory records including:

- Documentation of the number, kind, type, and weight range of livestock
- Beginning inventory supported by birth recordings or purchase receipts

For more information on documentation requirements, contact your local FSA office and visit www.farmers.gov/recover.

Emergency Loans Available in Montana Disaster Areas

FSA's Emergency Loan Program is available for agricultural producers in counties designated as primary or contiguous natural disaster areas. See map below of current Disaster Designations in Montana. Contact your local FSA office for specific designations in your area and time frames to apply. Eligible producers have **eight months** from the date of the disaster designation to apply for low-interest emergency loans to 1.) restore or replace essential property; 2.) pay all or part of production costs associated with the disaster year; 3.) pay essential family living expenses; or 4.) refinance certain debts, excluding real estate. Producers interested in applying for an emergency loan, or other FLP loans, should contact their local FSA office to set up an appointment with the Farm Loan Program staff serving your area.

[Current Disaster Designations in Montana - \(by county\)](#)

[Emergency Loan Factsheet \(pdf\)](#)

Foreign Persons Must Report U.S. Agricultural Land Holdings

USDA Farm Service Agency in Montana reminds foreign persons with an interest in agricultural lands in the United States that they are required to report their holdings and any transactions to the U.S. Secretary of Agriculture.

Any foreign person who acquires, transfers or holds any interest, other than a security interest, including leaseholds of 10 years or more, in agricultural land in the United States is required by law to report the transaction no later than 90 calendar days after the date of the transaction.

Foreign investors must file an [FSA-153](#) "Agricultural Foreign Investment Disclosure Act (AFIDA) Report" with the FSA county office in the county where the land is located.

Failure to file a report, filing a late report or filing an inaccurate report, can result in a penalty with fines up to 25 percent of the fair market value of the agricultural land.

For AFIDA purposes, agricultural land is defined as any land used for farming, ranching or timber production, if the tracts total 10 acres or more.

Disclosure reports are also required when there are changes in land use. For example, reports are required when land use changes from nonagricultural to agricultural or from agricultural to nonagricultural. Foreign investors must also file a report when there is a change in the status of ownership such as the owner changes from foreign to non-foreign, from non-foreign to foreign or from foreign to foreign.

Data gained from these disclosures is used to prepare an annual report to the President and Congress concerning the effect of such holdings upon family farms and rural communities in the United States.

For more information regarding AFIDA and FSA programs, contact your local FSA office at www.fsa.usda.gov/mt or visit the USDA Web site at <http://www.usda.gov>.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339 . Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992 . Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442 ; or (3) email: program.intake@usda.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).