

April 2019



Farm Service Agency **Electronic News Service**

NEWSLETTER

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Montana FSA: April 2019 Newsletter

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Message from the State Executive Director

Greetings from the FSA State Office in Bozeman! We are concerned for producers and livestock affected by the recent flooding in Montana and of the possible flooding that may occur across the state as snow continues to melt. Producers who suffer livestock and feed losses or prevented planting and failed acreage through the Noninsured Crop Disaster Assistance Program are encouraged to file a notice of loss with your local FSA office. You can file a notice of loss by phone, fax, email or in person. More details are in this newsletter.

I've enjoyed traveling the state visiting the local service center offices. I can attest that FSA employees across Montana are committed to serving you. They're available to help you secure the greatest possible benefit from FSA's farm loans, conservation, commodity price support and disaster assistance programs. Please stay in touch.

Sincerely,
Mike Foster

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.

Keeping Track of FSA Dates & Deadlines

March 16 to May 14: 2019 Conservation Reserve Program (CRP) Spring Managed Grazing Period (prior approval required)

April 1: Final availability date for Loans and LDPs for 2018 Barley, Canola, Crambe, Flaxseed, Honey, Oats, Rapeseed, Wheat and Sesame Seed

April 15: Noninsured Crop Disaster Assistance Program (NAP) producers with 2019 Perennial Forage intended for mechanical harvest or grazing are required to report their crop acreage 15 calendar days before the onset of harvest or grazing of the specific crop acreage. NAP producers are encouraged to report perennial forage acreage by April 15.

May 1: Final day to certify 2018 production for the Market Facilitation Program for producers of corn, cotton, sorghum, soybeans, wheat, dairy, hogs, fresh sweet cherries and shelled almonds

May 31: Final availability date for Loans and LDPs for Corn, Dry Peas, Grain Sorghum, Lentils, Mustard Seed, Rice, Safflower Seed, Chickpeas, Soybeans and Sunflower Seed

June 15 to Aug. 1: Nomination Period for 2019 FSA County Committee Elections

July 15: 2019 Acreage/Crop Reporting Deadline for Spring Seeded Alfalfa Seed, Forage Seeding, CRP, Perennial Forage not covered under NAP, and all other crops not required to be reported by a previous reporting date

July 15: Deadline to submit 2018 Individual Agriculture Risk Coverage (ARC-IC) Production Sheets (CCC-863)

July 16 to Sept. 13: 2019 CRP Summer/Fall Managed Harvesting Period (prior approval required)

Aug. 1: Deadline to request a farm reconstitution for 2019

Sept. 1: 2020 NAP Application for Coverage Deadline for Value-Loss Crops such as Nursery, Christmas Trees, Grass Sod, Ginseng, Aquaculture, Floriculture, Root Stock Sets & Mushrooms

Sept. 30: 2020 NAP Application for Coverage Deadline for Annual Fall-Seeded Crops, Perennial Forage and Grazing, Mixed Forage Crops (including spring seeded annual types of mixed forage, Rye, Speltz, Triticale, Wheat and Garlic

Montana NAP Producers Encouraged to Report Perennial Forage by April 15; USDA Acreage Reporting Deadline for Perennial Forage Changes to July 15

In 2018, USDA Farm Service Agency (FSA) established a new acreage reporting deadline for perennial forage for 2019 and subsequent years. Previously set in the fall, the new deadline is July 15 for all states, except for Hawaii and Puerto Rico.

Timely and accurate acreage reports for all crops and land uses, including prevented planting or failed acreage, are the foundation for many FSA program benefits, including disaster programs for livestock owners. Producers must report their acreage to maintain program eligibility.

Producers who have coverage for perennial forage under the Noninsured Crop Disaster Assistance Program (NAP) must report their crop acreage by the earlier of any of the following:

- the established acreage reporting date (July 15)
- 15 calendar days before the onset of harvest or grazing of the specific crop acreage being reported
- the established normal harvest date for the end of the coverage period

Montana NAP producers with perennial forage intended for mechanical harvest or grazing, are required to report their crop acreage 15 calendar days before the onset of harvest or grazing of the specific crop acreage. NAP producers with perennial forage acreage intended for mechanical harvest or grazing are encouraged to report their acreage by **April 15**.

Livestock Losses

The Livestock Indemnity Program (LIP) provides assistance to eligible producers for livestock deaths in excess of normal mortality caused by adverse weather, disease and attacks by animals reintroduced into the wild by the federal government or protected by federal law.

LIP compensates livestock owners and contract growers for livestock death losses in excess of normal mortality due to adverse weather, including losses due to hurricanes, floods, blizzards, wildfires, extreme heat or extreme cold.

For disease losses, FSA county committees can accept veterinarian certifications that livestock deaths were directly related to adverse weather and unpreventable through good animal husbandry and management.

For 2019 livestock losses, eligible livestock owners must file a notice within 30 calendar days of when the loss is first apparent.

Participants must provide the following supporting documentation to their local FSA office no later than 60 calendar days after the end of the calendar year in which the eligible loss condition occurred.

- Proof of death documentation
- Copy of growers contracts
- Proof of normal mortality documentation

USDA has established normal mortality rates for each type and weight range of eligible livestock, i.e. Adult Beef Cow = 1.0% and Non-Adult Beef Cattle (less than 400 pounds) = 3.6%. These established percentages reflect losses that are considered expected or typical under “normal” conditions.

In addition to filing a notice of loss, producers must also submit an application for payment and supporting documentation by March 1, 2020.

Additional Information about LIP is available at your local FSA office or online at: www.fsa.usda.gov.

Emergency Assistance for Livestock, Honeybee, and Farm-Raised Fish Program (ELAP)

The Emergency Assistance for Livestock, Honeybees and Farm-Raised Fish Program (ELAP) provides emergency assistance to eligible livestock, honeybee, and farm-raised fish producers who have losses due to

disease, adverse weather or other conditions, such as blizzards and wildfires, not covered by other agricultural disaster assistance programs.

Eligible livestock losses include grazing losses not covered under the Livestock Forage Disaster Program (LFP), loss of purchased feed and/or mechanically harvested feed due to an eligible adverse weather event, additional cost of transporting water because of an eligible drought and additional cost associated with gathering livestock to treat for cattle tick fever.

Eligible honeybee losses include loss of purchased feed due to an eligible adverse weather event, cost of additional feed purchased above normal quantities due to an eligible adverse weather condition, colony losses in excess of normal mortality due to an eligible weather event or loss condition, including CCD, and hive losses due to eligible adverse weather.

Eligible farm-raised fish losses include death losses in excess of normal mortality and/or loss of purchased feed due to an eligible adverse weather event.

Producers who suffer eligible livestock, honeybee, or farm-raised fish losses from Oct. 1, 2018 to Sept. 30, 2019 must file:

- A **notice of loss the earlier of 30 calendar days** of when the loss is apparent to the producer or Nov. 1, 2019
- An application for payment by Nov. 1, 2019

The following ELAP Fact Sheets (by topic) are available online:

- [ELAP for Farm-Raised Fish Fact Sheet](#)
- [ELAP for Livestock Fact Sheet](#)
- [ELAP for Honeybees Fact Sheet](#)

To view these and other FSA program fact sheets, visit the FSA fact sheet web page at www.fsa.usda.gov/factsheets.

Market Facilitation Program (MFP) – Certify 2018 Production by May 1

The final day to certify 2018 production for the Market Facilitation Program (MFP) is **May 1**. Payments will not be issued without certification, which must be provided to your local FSA county office. Producers of corn, cotton, sorghum, soybeans, wheat, dairy, hogs, fresh sweet cherries and shelled almonds were eligible to sign up for a MFP payment by Feb. 14, 2019. MFP is designed to help producers significantly impacted by actions of foreign governments resulting in the loss of traditional exports. Contact your local FSA county office for more information.

Timely Filing a NAP Notice of Loss

Timely filing a Notice of Loss is required for all crops including grasses. For losses on crops covered by the Noninsured Crop Disaster Assistance Program (NAP), producers must timely report damage or loss to their administrative County Office. For all low yield and value-loss crop claims, a CCC-576 Part B Notice of Loss must be filed within 15 calendar days of earlier of the date disaster occurs (or becomes apparent) or the normal harvest date. However, all producers should be aware that deadlines to provide initial notice to FSA do now vary by method of harvest and crop.

Crops that are either hand-harvested or other crops determined by FSA to deteriorate quickly and therefore need prompt appraisal must notify FSA within 72 hours of the date of damage or loss first becomes apparent. This initial notice may be by the filing of the CCC-576 Part B, e-mail, FAX, or a phone call. When initial notice is by email, FAX, or phone, County Offices will provide a Receipt for Service with additional

requirements. A *CCC-576 Notice of Loss* will still be required within 15 calendar days of earlier of date of occurrence/appearance of damage or harvest date.

Other crops, such as forages and grains, continue to have the 15 day requirement to file a required *CCC-576, Notice of Loss*, to report failed acreage and prevented planting and may be completed by any producer with an interest in the crop. This Notice of Loss must be filed within 15 calendar days of the earlier of date of occurrence/appearance of damage or harvest date.

If filing for prevented planting, an acreage report and CCC-576 Part B must be filed within 15 calendar days of the final planting date for the crop.

Further, to receive NAP assistance for claimed losses producers **must** timely file an Application for Payment on CCC-576 (Parts D through H) along with all required production records. Each producer on the unit must file their own application for payment. The deadline to apply for payment is 60 calendar days after the end of coverage for the crop year on the unit. There are no late-file provisions for NAP Applications for Payment.

Requesting Emergency Conservation Program Assistance for Flood Damage

Farmers and ranchers suffering severe damage from flooding can request assistance through FSA's Emergency Conservation Program (ECP). Affected producers can request ECP assistance through their local FSA office.

The types of ECP practices available under this program include:

- removing debris from farmland
- grading, shaping, or releveling severely damaged farmland
- restoring permanent fences
- restoring conservation structures and other similar installations

ECP assists producers with the cost required to restore agricultural land to pre-disaster conditions. Producers can submit ECP applications through the FSA county office. An on-site inspection is required before construction can begin. Completion of the on-site inspection does not guarantee that cost-share funding will be received. If funded, projects are limited to return the land to pre-disaster condition. Approved ECP applicants may receive up to 75 percent of the cost of completing the approved restoration activity, or 90 percent for limited resource producers, socially disadvantaged producers, and beginning farmers.

For more information on ECP, please contact your local FSA office.

USDA Commodity Loans Available to Montana Producers

FSA 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.

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

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

The final availability date for Loans and LDPs for 2018 Corn, Dry Peas, Grain Sorghum, Lentils, Mustard Seed, Rice, Safflower Seed, Chickpeas, Soybeans and Sunflower Seed is **May 31**.

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.

CRP Participants Must Maintain Approved Cover on Acreages Enrolled in CRP

Conservation Reserve Program (CRP) participants are responsible for ensuring adequate, approved vegetative and practice cover is maintained to control erosion throughout the life of the contract after the practice has been established. Participants must also control undesirable vegetation, weeds (including noxious weeds), insects and rodents that may pose a threat to existing cover or adversely impact other landowners in the area.

All CRP maintenance activities, such as mowing, burning, disking and spraying, must be conducted outside the primary nesting or brood rearing season for wildlife, which for Montana is May 15 to July 15. However, spot treatment of the acreage may be allowed during the primary nesting or brood rearing season if, left untreated, the weeds, insects or undesirable species would adversely impact the approved cover. In this instance, spot treatment is limited to the affected areas in the field and requires County Committee approval prior to beginning the spot treatment. The County Committee will consult with NRCS to determine if such activities are needed to maintain the approved cover.

Annual mowing of CRP for generic weed control, or for cosmetic purposes, is prohibited at all times.

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 \(pdf\)](#)

Youth Loans

FSA makes loans to youth to establish and operate agricultural income-producing projects in connection with 4-H clubs, FFA and other agricultural groups. Projects must be planned and operated with the help of the organization advisor, produce sufficient income to repay the loan and provide the youth with practical business and educational experience. The maximum loan amount is \$5000.

Youth Loan Eligibility Requirements:

- Be a citizen of the United States (which includes Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands) or a legal resident alien
- Be 10 years to 20 years of age
- Comply with FSA's general eligibility requirements
- Be unable to get a loan from other sources
- Conduct a modest income-producing project in a supervised program of work as outlined above
- Demonstrate capability of planning, managing and operating the project under guidance and assistance from a project advisor. The project supervisor must recommend the youth loan applicant, along with providing adequate supervision.

Stop by the county office for help preparing and processing the application forms.

Breaking New Ground

Agricultural producers are reminded to consult with FSA and NRCS before breaking out new ground for production purposes. Breaking new ground and seeding an agriculture commodity without prior authorization may jeopardize your eligibility to receive USDA benefits. This is especially true for land that must meet Highly Erodible Land (HEL) and Wetland Conservation (WC) provisions.

Producers with HEL determined soils are required to apply tillage, crop residue and rotational requirements as specified in their conservation plan or an approved conservation system.

Producers should notify FSA prior to conducting land leveling, filling, dredging, land clearing such as clearing trees to create new cropland, or drainage type projects to ensure the proposed activities meet compliance criteria. These areas will be reviewed by the Natural Resources Conservation Service (NRCS) to ensure such work will not risk your eligibility for benefits.

Landowners, operators, and other tenants requesting benefits are required to complete form AD-1026 - Highly Erodible Land Conservation (HEL) and Wetland Conservation (WC) Certification and identify the proposed activities to allow FSA to determine whether a referral to NRCS for further review is necessary.

Questions?

Please contact your local [FSA Office](#).

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).