



U.S. DEPARTMENT OF AGRICULTURE

Nebraska FSA and NRCS State Office Newsletter - October 31, 2023

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## A Message from the FSA Acting State Executive Director

By now I hope that everyone is finished or at least on the tail end of their 2023 harvest. As we move into the final two months of the year, I want to call your attention to current activity at your Nebraska Farm Service Agency offices across the state.

Just last week, USDA announced that FSA offices will begin accepting applications from producers for disaster assistance through the Emergency Relief Program (ERP). This new round of ERP assistance is for commodity and specialty crop growers who suffered a natural disaster in 2022. FSA will use existing crop insurance indemnity information and Noninsured Crop Disaster Assistance Program (NAP) payment information to generate prefilled applications that will be sent to producers directly. Those should be going out via

mail in the coming week. Producers will still need to visit their county office to determine eligibility and submit the 2022 application.

There also will be an ERP 2022 application option, based on overall revenue losses, for producers who faced natural disaster in 2022 but did not have insurance or NAP coverage. To learn more about ERP 2022 and steps to apply for assistance, read the article below and then contact your county FSA office. There also is more information at [this website link](#).

If you are a farm loan borrower, I also want to call your attention to the articles below that detail programs being implemented through our farm loan section that were authorized under Section 22006 and Section 22007 of the Inflation Reduction Act (IRA). While these programs won't apply to everyone, if you feel you fit within a category of need, please contact your county FSA farm loan team for more information.

As I close out this column, I encourage you to note several upcoming application deadlines highlighted in Dates to Remember below, including fall acreage certification and disaster protection coverage for 2024 for crops like alfalfa, mixed forages, grass and grapes.

That's all for now. Stay safe as you finish out the harvest season.

--Tim Divis

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## **USDA to Provide More Than \$3 Billion to Commodity, Specialty Crop Producers Impacted by 2022 Natural Disasters**

*Sign-up Begins for Emergency Relief Program 2022*

The U.S. Department of Agriculture (USDA) will provide more than \$3 billion to commodity and specialty crop producers impacted by natural disaster events in 2022. Eligible impacted producers can apply for financial assistance through the [Emergency Relief Program \(ERP\) 2022](#). The program will help offset the financial impacts of crop yield and value losses from qualifying disasters occurring in 2022.

### **Background**

On Dec. 29, 2022, President Biden signed into law the *Disaster Relief Supplemental Appropriations Act, 2023 (P.L. 117-328)* that provides about \$3.7 billion in financial assistance for agricultural producers impacted by eligible natural disasters that occurred in calendar year 2022.

ERP 2022 covers losses to crops, trees, bushes and vines due to qualifying, calendar year 2022 natural disaster events including wildfires, hurricanes, floods, derechos, excessive heat, tornadoes, winter storms, freeze (including a polar vortex), smoke exposure, excessive moisture, qualifying drought and related conditions.

ERP 2022 program benefits will be delivered to eligible producers through a two-track process. FSA intends to make both tracks available to producers at the same time. This two-track approach enables USDA to:

- Streamline the application process.
- Reduce the paperwork burden on producers.
- Proactively include provisions for underserved producers who have not been well served by past emergency relief efforts.
- Encourage producer participation in existing risk management programs to mitigate the impacts of future severe weather events.

It's important to note that disaster-impacted producers may be eligible for ERP 2022 assistance under one or both tracks. To avoid duplicative benefits, if a producer applies for both tracks, the Track 2 payment calculation will take into account any payments received through Track 1.

### **ERP 2022 Application Process – Track 1**

ERP 2022 Track 1 leverages existing federal crop insurance or Noninsured Crop Disaster Assistance Program (NAP) data as the basis for calculating payments for eligible crop producers who received indemnities through these risk management programs. Although FSA is sending pre-filled ERP 2022 Track 1 application forms to producers who have crop insurance and NAP data already on file with USDA, producers indemnified for losses resulting from 2022 natural disasters do not have to wait to receive the application before requesting ERP 2022 assistance. Effective Oct. 31, 2023, producers can apply for ERP 2022 benefits whether they have received the pre-filled application or not. Receipt of a pre-filled application is not confirmation that a producer is eligible to receive an ERP 2022 Track 1 payment.

USDA estimates that ERP Track 1 benefits will reach more than 206,000 producers who received indemnities for losses covered by federal crop insurance and more than 4,500 producers who obtained NAP coverage for the 2022 crop year.

### **ERP 2022 Application Process – Track 2**

Track 2 is a revenue-based certification program designed to assist eligible producers who suffered an eligible decrease in revenue resulting from 2022 calendar year disaster events when compared with revenue in a benchmark year using revenue information that is readily available from most tax records. In cases where revenue does not reasonably reflect a normal year's revenue, Track 2 provides an alternative method for establishing revenue. Likewise, Track 2 affords producers of crops that are used within an operation and do not generate revenue from the sale of the crop a method for establishing revenue for the purpose of applying for ERP 2022 benefits. Producers are not required to submit tax records to FSA unless requested by the County Committee if required for an FSA compliance spot check.

Although not required when applying for ERP 2022 Track 2, applicants might find the following documents useful to the process:

- Schedule F (Form 1040)

- *Profit or Loss from Farming* or similar tax documents for tax years 2018, 2019, 2022 and 2023.

Track 2 targets gaps in emergency relief assistance for eligible producers whose eligible losses were not covered by crop insurance or NAP including revenue losses too small (shallow loss) to be covered by crop insurance.

Producers interested in applying for ERP 2022 Track 2, should contact their local FSA county office. Additional reference resources can be found on FSA's [emergency relief website](#).

### **Additional Required Forms**

For both ERP 2022 tracks, all producers must have certain required forms on file with FSA within 60 days of the ERP 2022 deadline. Producers can apply for ERP 2022 as of Oct. 31, 2023. The application deadline has not yet been determined and will be announced at a later date. If not already on file, producers can update, complete and submit required forms to FSA at any time.

Required forms:

- 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 2022 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.

### **Future Insurance Coverage Requirements**

All producers who receive ERP 2022 payments must purchase crop insurance, or NAP coverage where crop insurance is not available, in the next two available crop years as determined by the Secretary. Purchased coverage must be at the 60/100 coverage level or higher for insured crops or at the catastrophic coverage level or higher for NAP crops.

### **More Information**

ERP 2022 eligibility details and payment calculation factor tables are available on the [emergency relief website](#), in the [ERP Track 1](#) and [ERP Track 2](#) fact sheets and through your local [FSA county office](#).

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## Dates to Remember

**Nov. 6, 2023** – Ballots for FSA County Committee election mailed to eligible voters

**Nov. 10, 2023** – USDA Service Centers closed for federal holiday

**Nov. 15, 2023** – FSA acreage reporting deadline for fall-seeded crops for 2024 program eligibility (including for NAP)

**Nov. 15, 2023** – FSA Noninsured Crop Disaster Assistance Program (NAP) application closing deadline for coverage for alfalfa, mixed forages and grass in the 2024 production season

**Nov. 20, 2023** – FSA NAP application closing deadline for coverage for apples, aronia berries and grapes in the 2024 production season

**Nov. 23, 2023** – USDA Service Centers closed for federal holiday

*\*\*\*Please note any above NAP calendar reference may not be inclusive for all NAP-covered crops; NAP participants should contact their County FSA Office to confirm important program deadlines.*

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## FSA Encourages Farmers and Ranchers to Vote in County Committee Elections

The 2023 Farm Service Agency County Committee Elections will begin on Nov. 6, 2023, when ballots are mailed to eligible voters. The deadline to return ballots to local FSA offices, or to be postmarked, is Dec. 4, 2023.

County committee members are an important component of the operations of FSA and provide a link between the agricultural community and USDA. Farmers and ranchers elected to county committees help deliver FSA programs at the local level, applying their knowledge and judgment to make decisions on commodity price support programs; conservation programs; incentive, indemnity and disaster programs for some commodities; emergency programs and eligibility. FSA committees operate within official regulations designed to carry out federal laws.

To be an eligible voter, farmers and ranchers must:

- Be of legal voting age or, if not of legal voting age, supervise and conduct the farming operation of an entire farm.
- Have an interest in a farm or ranch as either:
  - An individual who meets one or more of the following:
    - Is eligible and capable to vote in one's own right.
    - Is a partner of a general partnership.
    - Is a member of a joint venture.

- Participates or cooperates in any FSA program that is provided by law. A cooperating producer is someone who has provided information to FSA about their farming or ranching operation(s) but may not have applied or received program benefits.

Eligible voters, in Local Administrative Areas that are up for election, who do not receive a ballot can obtain one from their local FSA county office. Customers can identify which LAA they or their farming operation is in by using the GIS locator tool available at [fsa.usda.gov/elections](https://fsa.usda.gov/elections).

Newly elected committee members will take office Jan. 1, 2024.

More information on county committees can be found at [fsa.usda.gov/elections](https://fsa.usda.gov/elections) or by contacting their County FSA office.

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## **FSA Reminds Producers of Fall-Seeded Acreage Reporting Requirement, Deadline**

To comply with program eligibility requirements, all producers are encouraged to contact their County FSA office to file an accurate acreage certification report by the applicable deadline. The acreage reporting deadline for all fall-seeded crops such as wheat, triticale and rye is Nov. 15, 2023. Producers also are encouraged to report fall-planted cover crops at this time.

Noninsured Crop Disaster Assistance Program (NAP) policy holders should note that the acreage reporting date for NAP covered crops is the earlier of the date listed above or 15 calendar days before grazing or harvesting of the crop begins. Producers who file accurate and timely acreage certification reports, including failed and prevented planted acreage, can prevent the potential loss of USDA program benefits.

For questions regarding acreage certification, please contact your County FSA office.

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## **FSA Reminds Direct Loan Borrowers of Assistance Options**

*Requests for Cash Flow-Based or Extraordinary Measures Assistance Must be Received by Dec. 31, 2023*

USDA's Farm Service Agency (FSA) continues to accept and review individual assistance requests from: (1) direct Farm Loan Programs (FLP) borrowers who missed a recent installment or are unable to make their next scheduled installment, and (2) borrowers who took certain extraordinary measures to avoid delinquency on their direct FLP loans.

FSA direct loan borrowers with qualifying FLP loans who are unable to pay their upcoming installments or have already missed a recent installment payment can request a cash flow analysis from FSA using a recent balance sheet and operating plan to determine their eligibility. This assistance is currently limited to installments due August 1, 2022, through January 15, 2024. If FSA determines that a borrower qualifies for cash flow-based

assistance due to an inability to develop a feasible plan for the current production cycle, FSA will make a one-time credit to the borrower's account in the amount of the missed or upcoming direct loan installment(s). Consistent with other Section 22006 assistance provided to FSA direct loan borrowers, cash flow-based assistance is only available to borrowers who have not received prior IRA Section 22006 assistance that covered a forward direct loan installment.

Assistance is also available for borrowers who took certain extraordinary measures between February 28, 2020, through October 18, 2022, to avoid delinquency on their loans, such as monetizing long term or essential assets, incurring additional non-FSA debt, or deferring other essential payments, resulting in reduced farm and household viability. If FSA determines that a borrower qualifies for extraordinary measures assistance, the borrower will receive a direct payment equaling the amount of funds obtained through the extraordinary measure(s) that were used to make the payment(s) to FSA, with a maximum payment being the full amount of the installment paid. Borrowers may also be eligible to receive a payment covering their next loan installment due on all FLP direct loans if they have not received prior IRA Section 22006 assistance that covered a forward installment.

Borrowers can submit requests for extraordinary measures or cash flow-based assistance in person at their local FSA office or by sending in a direct request using the farmers.gov 22006 assistance request portals at [farmers.gov/loans/inflation-reduction-investments/assistance](https://farmers.gov/loans/inflation-reduction-investments/assistance). All requests for assistance must be received by December 31, 2023.

Borrowers can learn more about extraordinary measures and cash flow-based assistance, including complete eligibility requirements, at [farmers.gov/loans/inflation-reduction-investments/assistance](https://farmers.gov/loans/inflation-reduction-investments/assistance).

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## FSA Loan Interest Rates

### **OPERATING/OWNERSHIP INTEREST (RATES FOR NOVEMBER)**

Farm Operating: 5.375%  
Farm Operating - Limited Resource: 5%  
Microloan Operating: 5%  
Farm Ownership: 5.5%  
Farm Ownership - Limited Resource: 5%  
Farm Ownership - Joint Financing: 3.5%  
Farm Ownership - Down Payment: 1.5%  
Emergency - Actual Loss: 3.75%

### **FARM STORAGE FACILITY LOAN (RATES FOR OCTOBER AS NOVEMBER RATES NOT AVAILABE AT TIME OF PUBLISHING)**

3-year term: 4.625%  
5-year term: 4.375%  
7-year term: 4.375%  
10-year term: 4.125%  
12-year term: 4.125%

## MARKETING ASSISTANCE

Commodity Loan: 6.375%

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# Section 22007 Program to Assist Those Who Experienced Discrimination

### *Information Meetings Scheduled for Omaha*

The application period is open for a new financial assistance program under Section 22007 of the Inflation Reduction Act (IRA), for farmers, ranchers, and forest landowners who experienced discrimination in USDA farm lending programs prior to January 2021. The application process will close on January 13, 2024.

Borrowers will have the option to apply for assistance online via [22007apply.gov](https://22007apply.gov) or through a paper-based form.

**Information meetings to learn more about the 22007 program are scheduled for Nov. 10 from 2-4 p.m. CT and Nov. 11 from 12-3 p.m. CT at the South Omaha Library, 2808 Q Street, Omaha. Technical assistance with applications also will be provided at these events, which are hosted by a USDA cooperator working on this program.**

Details about the program, including an application and e-filing portal, are available at [22007apply.gov](https://22007apply.gov). The website includes an English and Spanish language application that applicants can download or submit via an e-filing portal, information on how to obtain technical assistance in-person or virtually, and additional resources and details about the program. Applicants can also call the free call center at 1-800-721-0970, or visit one of several dozen brick-and-mortar offices the program has set up around the country. Locations are provided on the program website and vendors will update the local events schedule with more information as it becomes available. It is important to note that filing an application is FREE and does not require a lawyer.

If you want to get weekly updates on the program's events and progress, you can go to <https://22007apply.gov>, and subscribe to a weekly newsletter.

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# USDA's Conservation Reserve Program Pays More Than \$1.77 Billion to America's Producers in Support of Conservation and Climate-Smart Agriculture

The U.S. Department of Agriculture (USDA) has issued more than \$1.77 billion this year to agricultural producers and landowners through its Conservation Reserve Program (CRP), a critical piece of the Department's efforts to support climate-smart agriculture and forestry on working lands. This year, CRP's more than 667,000 participants received payments from USDA's Farm Service Agency (FSA) for their voluntary conservation efforts on more than 23 million acres of private land. Since 2021, CRP has grown by 21% in terms of



acres enrolled, testament to the Biden-Harris administration's program improvement efforts.

Top five states for CRP participant payments:

- Iowa, \$402,508,900
- Illinois, \$172,723,800
- Minnesota, \$150,773,400
- South Dakota, \$129,545,200
- Missouri, \$99,849,600

For more on CRP, [read the news release at this link](#).

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## Farmers.gov - Your Online Hub for Conducting Business with USDA

**Farmers.gov** gives you one place to do business with USDA's Farm Service Agency (FSA) and the Natural Resources Conservation Service (NRCS), including accessing your farm records, maps, and common land units. You can create a farmers.gov account for the farmers.gov authenticated site, where you can access self-service features through a secure login.

In addition to the self-service features farmers.gov website also has information on USDA programs, farm loans, disaster assistance, conservation programs and crop insurance.

### What can you do with your farmers.gov account?

- View FSA Farm loans including loan information, interest payments, loan advance and payment history, paid-in-full restructured loans, and account alerts.
- View NRCS Disbursements and Farm Loans financial activity from the past 180 days.
- View, print and export detailed farm records and farm/tract maps.
- Export common land unit (field) boundaries as ESRI and GeoJSON file types.
- Import precision agriculture planting boundaries, create labels containing crop information, and print both on farm tract maps.
- Use the draw tools to determine acres in an area of interest that can be printed on a map and provided to a third party or exported as a feature file for use in other geospatial applications.
- View, upload, download and e-sign NRCS documents.
- Request conservation and financial assistance, including submitting a program application.
- Access information on current and past conservation practices, report practice completion and request practice certification

- View detailed information on previous and ongoing contracts, including the amount of cost- share assistance received and request contract modifications.

### **How to create a farmers.gov account?**

To create a farmers.gov account you will need:

- A USDA individual customer record - A customer record contains information you have given to USDA to do business with them, like your name, address, phone number, and any legal representative authority relationships.
- A login.gov account – Login.gov is a sign-in service that gives people secure online access to participating government programs.

For more information on this option, or to create an account or log in to an existing account, visit [farmers.gov](https://farmers.gov).

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## **Cost-Share Opportunities Available Through Local NRCS Offices**



USDA Natural Resources Conservation Service (NRCS) has a wide range of cost-share opportunities that are offered through several different programs and initiatives. These include, but are not limited to, Environmental Quality Incentives Program (EQIP), Conservation Stewardship Program (CSP), Regional Conservation Partnership Program (RCPP), High Tunnel Initiative and the Inflation Reduction Act (IRA).

These programs and initiatives are available to assist producers in a wide variety of sectors ranging from small-scale, urban specialty crop production, annual row crop production, organic production, forage production and livestock production. Producers can work with NRCS staff to implement practices on certain areas of their operation or across their entire operation.

Practices include, but are not limited to:

- conversion from gravity to center pivot or sub-surface drip irrigation
- irrigation water management
- combustion system improvement
- high tunnel
- nutrient management
- pest management
- cover crops
- residue and tillage management, no-till
- livestock pipeline and watering facilities

- cross fencing
- pasture, range and hay planting
- brush management, including prescribed burn

For more information on these cost-share opportunities and how they can fit into your operation, contact your [nearest NRCS office](#).

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## Nebraska FSA and NRCS State Office Information

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### FSA State Committee

Roy Stoltenberg, *Cairo, Chair*  
Bill Armbrust, *Elkhorn*  
Aaron LaPointe, *Winnebago*  
Becky Potmesil, *Alliance*  
Paula Sue Steffen, *Humboldt*

Visit the Nebraska FSA website at [www.fsa.usda.gov/ne](http://www.fsa.usda.gov/ne).  
Visit the Nebraska NRCS website at [www.nrcs.usda.gov/ne](http://www.nrcs.usda.gov/ne).

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