



U.S. DEPARTMENT OF AGRICULTURE

Nebraska FSA and NRCS State Office Newsletter - May 2024

[Farm Service Agency](#) | [Natural Resources Conservation Service](#) | [Risk Management Agency](#)

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A Message from the FSA Acting State Executive Director

Spring planting is moving right along, but I am hearing that spring acreage certification traffic to our county FSA offices is slow. We ask producers who are done with their planting to make sure they are working with their county office to complete their acreage reporting. We have thousands of producers to get through this process, so the sooner you report your acres the better. The deadline for spring acreage certification is July 15. This July 15 deadline also includes reporting of your Conservation Reserve Program (CRP) acres and perennial forage (pasture).

While spring rains have improved Nebraska's status on the [U.S. Drought Monitor](#) from a year ago, the welcome moisture has not come without some associated weather extremes, including tornadoes, extreme winds and in some cases, flooding. FSA does

have some programs that may be available to assist with losses associated with extreme weather impacts, such as the [Livestock Indemnity Program](#), the [Emergency Assistance for Livestock, Honeybees and Farm-raised Fish Program](#) and the [Emergency Conservation Program](#). Each of these are unique in how they are used to respond and what is needed from a program implementation standpoint, so the best thing you can do if you have suffered negative impacts from extreme weather is report losses to your county FSA office. Not all programs are applicable to every weather situation, but we can't help if we don't know the extent of impacts in a county.

Our county offices will soon begin accepting applications for nominations for 2024 [FSA County Committee elections](#). FSA county committees play an important role in your local agriculture community because they are made up of local farmers and ranchers elected by their peers. County Committees are your voice on FSA programming and county office operations in your area. Please take time to learn about your FSA county committee and, if a seat is open for election in your area, consider running for the position. Ask your County Executive Director for more information.

That's all for this month. Talk to you next month.

--Tim Divis

Dates to Remember

June 17, 2024 – Nominations open for the 2024 FSA County Committee (COC) elections

June 19, 2024 – USDA Service Centers closed in observance of Juneteenth National Independence Day

July 15, 2024 – FSA deadline to report all spring-seeded crops, perennial forage and Conservation Reserve Program (CRP) acres

****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.*

Annual Review of Payment Eligibility for New Crop Year

FSA and NRCS program applicants for benefits are required to submit a completed CCC-902 Farming Operation Plan and CCC-941 Average Gross Income (AGI) Certification and Consent to Disclosure of Tax Information for FSA to determine the applicant's payment eligibility and establish the maximum payment limitation applicable to the program applicant.

Participants are not required to annually submit new CCC-902s for payment eligibility and payment limitation purposes unless a change in the farming operation occurs that may affect the previous determination of record. A valid CCC-902 filed by the participant is considered to be a continuous certification used for all payment eligibility and payment limitation determinations applicable for the program benefits requested.

Participants are responsible for ensuring that all CCC-902 and CCC-941 and related forms on file in the county office are updated, current, and correct. Participants are required to timely notify the county office of any changes in the farming operation that may affect the previous determination of record by filing a new or updated CCC-902 as applicable.

Changes that may require a NEW determination include, but are not limited to, a change of:

- Shares of a contract, which may reflect:
 - A land lease from cash rent to share rent
 - A land lease from share rent to cash rent (subject to the cash rent tenant rule)
 - A modification of a variable/fixed bushel-rent arrangement
- The size of the producer's farming operation by the addition or reduction of cropland that may affect the application of a cropland factor
- The structure of the farming operation, including any change to a member's share
- The contribution of farm inputs of capital, land, equipment, active personal labor, and/or active personal management
- Farming interests not previously disclosed on CCC-902 including the farming interests of a spouse or minor child
- Certifications of average AGI are required to be filed annually for participation in an annual USDA program. For multi-year conservation contracts and NRCS easements, a certification of AGI must be filed prior to approval of the contract or easement and is applicable for the duration of the contract period.

Participants are encouraged to file or review these forms within the deadlines established for each applicable program for which program benefits are being requested.

FSA Accepting Applications for Available Funds to Help Cover Organic Certification Costs

Through the [Organic Certification Cost Share Program](#) (OCCSP), USDA's Farm Service Agency (FSA) will cover up to 75% of organic certification costs at a maximum of \$750 per certification category. FSA is now accepting applications, and organic producers and handlers should apply for OCCSP by the Oct. 31, 2024, deadline for eligible expenses incurred from Oct. 1, 2023, to Sept. 30, 2024. FSA will issue payments as applications are received and approved.

OCCSP was part of a [broader organic announcement](#) made by Agriculture Secretary Tom Vilsack on May 15, 2024, which also included the Organic Market Development Grant program and Organic Transition Initiative.

Eligible Applicants, Expenses and Categories

OCCSP provides cost-share assistance to producers and handlers of organic agricultural commodities for expenses incurred obtaining or maintaining organic certification under USDA's [National Organic Program](#). Eligible OCCSP applicants include any certified organic producers or handlers who have paid organic certification fees to a USDA-accredited certifying agent.

Cost share assistance covers expenses including application fees, inspection costs, fees related to equivalency agreement and arrangement requirements, inspector travel expenses, user fees, sales assessments and postage. OCCSP pays a maximum of \$750 per certification category for crops, wild crops, livestock, and processing/handling.

How to Apply

To apply, producers and handlers should contact FSA at their local [USDA Service Center](#) and be prepared to provide documentation of organic certification and eligible expenses. For more information, visit the [OCCSP](#) webpage.

More Information

USDA offers other assistance for organic producers, including the [Organic Transition Initiative \(OTI\)](#), which includes direct farmer assistance for organic production and processing and conservation. For more information on organic agriculture, visit farmers.gov/organic.

USDA and FarmRaise Launch Additional Online Disaster Assistance Decision Tool for Livestock, Honey Bee and Farm-Raised Fish Producers

The U.S. Department of Agriculture, in partnership with FarmRaise, has launched a new, online Emergency Assistance for Livestock, Honey Bees and Farm-raised Fish Program (ELAP) Decision Tool. The USDA's Farm Service Agency (FSA) tool is designed to assist agricultural producers who have been impacted by natural disasters access available program support.

This ELAP Decision Tool, a component of a broader disaster assistance program educational module, further expands the library of online FSA disaster and farm loan program reference resources and decision aids currently available to agricultural producers on the FarmRaise [FSA educational hub](#). **The Decision Tool is a resource only and is not an application for benefits or a determination of eligibility.**

[ELAP](#) is designed to address losses not covered by other FSA disaster assistance programs. The program provides recovery assistance to eligible producers of livestock, honey bee, and farm-raised fish for losses due to an eligible adverse weather or loss condition, including drought, blizzards, disease, water shortages and wildfires. ELAP covers grazing and feed losses, transportation of water and feed to livestock and hauling livestock to grazing acres due to an eligible loss condition. ELAP also covers certain mortality losses, due to an eligible condition, for livestock including honey bees and farm-raised fish as well as honey bee hive losses.

New FarmRaise Tools and Resources

[FarmRaise](#), in partnership with FSA, recently launched their online, [educational hub](#) – the FarmRaise | FSA Educational Hub – comprised of videos, tools and interactive resources that enable USDA cooperators and agricultural producers to learn about and access major FSA programs.

[Read the full news release here.](#)

FSA Offers Farm Storage Facility Loan Options

Farm Service Agency's (FSA) Farm Storage Facility Loan (FSFL) program provides low-interest financing to help you build or upgrade storage facilities and to purchase portable (new or used) structures, equipment and storage and handling trucks.

Eligible commodities include corn, grain sorghum, rice, soybeans, oats, peanuts, wheat, barley, minor oilseeds harvested as whole grain, pulse crops (lentils, chickpeas and dry peas), hay, honey, renewable biomass, fruits, nuts and vegetables for cold storage facilities, floriculture, hops, rye, milk, cheese, butter, yogurt, meat and poultry (unprocessed), eggs, and aquaculture (excluding systems that maintain live animals through uptake and discharge of water). Qualified facilities include grain bins, hay barns and cold storage facilities for eligible commodities.

Loans exceeding \$100,000 require additional security.

You do not need to demonstrate the lack of commercial credit availability to apply. The loans are designed to assist a diverse range of farming operations, including small and mid-sized businesses, new farmers, operations supplying local food and farmers markets, non-traditional farm products, and underserved producers.

For more information, contact the farm loan team at your county FSA office or visit fsa.usda.gov/pricesupport.

USDA Reminds Producers of Climate-Smart Opportunities Using Farm Loan Programs

The U.S. Department of Agriculture's Farm Service Agency (FSA) reminds agricultural producers that Farm Loan Programs can be used to support a variety of climate-smart agriculture practices, which build on many practices that farmers and ranchers already use, like cover cropping, nutrient management and conservation tillage.

Climate-smart agricultural practices generate significant environmental benefits by capturing and sequestering carbon, improving water management, restoring soil health and more. Farm loan funding complements other tools to help producers adopt climate-smart practices, such as FSA's [Conservation Reserve Program](#), [crop insurance options](#) that support conservation, and conservation programs offered by USDA's Natural Resources Conservation Service (NRCS).

FSA offers [multiple types of loans](#) to help farmers and ranchers start, expand or maintain a family agricultural operation. These loans can provide the capital needed to invest in climate-smart practices and equipment including the establishment of rotational grazing systems, precision agriculture equipment or machinery for conversion to no-till residue management. Additionally, for programs like Conservation Reserve Program and NRCS conservation programs where USDA and the producer share the implementation cost, a farm loan could be used for the producer's share, if consistent with the authorized loan purpose.

[Read the full news release here.](#)

FSA Loan Interest Rates for May

OPERATING/OWNERSHIP

Farm Operating: 5.250%
Farm Operating – Limited Resource: 5%
Farm Ownership: 5.5%
Farm Ownership – Limited Resource: 5%
Farm Ownership - Joint Financing: 3.50%
Farm Ownership - Down Payment: 1.50%
Emergency - Actual Loss: 3.75%

FARM STORAGE FACILITY LOAN

3-year term: 4.625%
5-year term: 4.375%
7-year term: 4.375%
10-year term: 4.375%
12-year term: 4.500%

MARKETING ASSISTANCE

Commodity Loan: 6.125%

Sign-up Ongoing at FSA Offices for Emergency Relief Program 2022

Farm Service Agency is accepting applications for the [Emergency Relief Program \(ERP\) 2022](#), a program designed to provide more than \$3 billion to commodity and specialty crop producers impacted by natural disaster events in 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. The ERP 2022 application deadline has not yet been determined and will be announced at a later date.

ERP 2022 program benefits are being delivered to eligible producers through a two-track process. 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 leveraged existing federal crop insurance or Noninsured Crop Disaster Assistance Program (NAP) data as the basis for calculating payments for eligible crop producers. FSA previously sent pre-filled ERP 2022 Track 1 application forms to producers who had crop insurance and NAP data already on file with USDA.

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 useful to the application process a schedule F (Form 1040) or 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](#).

Making Farm Reconstitutions

When changes in farm ownership or operation take place, a farm reconstitution is necessary. The reconstitution — or recon — is the process of combining or dividing farms or tracts of land based on the farming operation.

To be effective for the current fiscal year, farm combinations and farm divisions must be requested by **August 1 of the fiscal year** for farms subject to the Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) program. A reconstitution is considered to be requested when all of the required signatures are on FSA-155 and all other applicable documentation, such as proof of ownership, is submitted.

Total Conservation Reserve Program (CRP) and non-ARC/PLC farms may be reconstituted at any time.

The following are the different methods used when doing a farm recon:

- **Estate Method** — the division of bases, allotments and quotas for a parent farm among heirs in settling an estate
- **Designation of Landowner Method** — may be used when (1) part of a farm is sold or ownership is transferred; (2) an entire farm is sold to two or more persons; (3) farm ownership is transferred to two or more persons; (4) part of a tract is sold or ownership is transferred; (5) a tract is sold to two or more persons; or (6) tract ownership is transferred to two or more persons. In order to use this method, the land sold must have been owned for at least three years, or a waiver granted, and the buyer and seller must sign a Memorandum of Understanding
- **DCP Cropland Method** — the division of bases in the same proportion that the DCP cropland for each resulting tract relates to the DCP cropland on the parent tract
- **Default Method** — the division of bases for a parent farm with each tract maintaining the bases attributed to the tract level when the reconstitution is initiated in the system.

For questions on your farm reconstitution, contact your county FSA office.

Conservation Practices Can Protect Livestock from Harmful Algal Blooms This Summer



Summer is the season for freshwater harmful algal blooms, which can produce toxins that are harmful to humans, livestock, working animals, and pets. The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) has several conservation practices that may help farmers and ranchers protect animals and people by restricting access to contaminated water or providing alternate water sources.

The ABCs of HABs

Freshwater harmful algal blooms (HABs) are usually caused by rapid of blue-green algae (known as cyanobacteria) in water bodies such as lakes, ponds, and streams. These organisms can produce toxins (known as cyanotoxins) that are harmful to humans, livestock, working animals, and pets. Contacting or ingesting contaminated water (including water spray or mist) can result in irritation, illness, or even death.

Cyanobacteria are naturally found in water bodies, so they cannot be eradicated. Instead, it's important to understand how and why blooms occur. Cyanobacterial blooms and their potential toxicity often are a result of excess nutrients, such as phosphorus and nitrogen, in water bodies. Excess nutrients can come from adjacent agricultural lands, livestock waste, and leaky septic systems, among other sources. HABs typically form in summer, when warm, nutrient-rich, stagnant waters and more frequent sunlight increase the opportunity for their growth.

Treatment of current HABs involves chemical, biological, or mechanical treatment targeted directly at the contaminated waters. Prevention of future HABs involves changing the

conditions that favor cyanobacteria, including nutrient management of the surrounding land and trapping or treating nutrient losses to waterbodies.

Risks HABs pose to livestock, working animals, and pets

Symptoms* of cyanotoxin exposure in animals include:

- vomiting
- excessive salivation
- fatigue
- staggered walking
- difficulty breathing
- weakness
- convulsions
- liver failure

In severe cases, HAB poisoning can lead to death. Therefore, any potential intoxication needs to be immediately addressed by qualified professionals.

NRCS is not the authority on HAB symptoms in animals and humans. Please refer to the [Centers for Disease Control \(CDC\) website](#) for further information on HAB symptoms or contact your state or county health department.

Steps you can take if a potential exposure to cyanotoxins has occurred:

1. Eliminate animal access to the suspected contaminated water source.
2. Wash animals with clean water and monitor for symptoms of exposure to cyanotoxins. Isolate any animals exhibiting symptoms and seek veterinary care as soon as possible.
3. An alternative source of livestock drinking water might be needed.
4. Contact the appropriate state agency for sampling and testing guidance to test the water source for HABs and cyanotoxins. It is not safe for landowners to sample the water themselves without proper personal protective equipment and procedures.
5. If a HAB occurs, there is potential for recurrence. Therefore, the waterbody should be monitored.
6. Adopt conservation practices that reduce the risk of livestock exposure to HABs and prevent and reduce nutrient loading to waters to minimize the risk of future HABs occurrences.

Reduce livestock exposure to HABs

If HABs or cyanotoxins have been detected in a water body, preventing exposure by restricting access is key to ensuring the health and well-being of people, livestock, working animals and pets on the farm.

NRCS has several conservation practices that may be useful to exclude livestock from contaminated waters or provide alternative water sources. Some examples are:

- Fencing
- Pond
- Access control
- Water well
- Watering facility

For more information or assistance

To learn more about how NRCS can help address HAB concerns or other natural resource concerns, visit the [NRCS website](#) or contact NRCS at your [local USDA Service Center](#).



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Visit the Nebraska NRCS website at www.nrcs.usda.gov/ne.

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