



# Kittitas County FSA Today

## *Emergency Conservation to Be Implemented*

Kittitas County has been approved to implement the Emergency Conservation Program to repair farmland damaged by current flooding disaster in Kittitas County. USDA's Farm Service Agency (FSA) county committees determine land eligibility based on on-site inspections of damage, taking into account the type and extent of damage. Producers will be able to use the money to remove farmland debris, restore fences and repair conservation structures which were damaged by flood. Conservation problems that existed before the flooding disaster are not eligible for cost-share assistance. A general ECP signup is scheduled to be held February 9 through March 27. If you have experienced flood damage to your farmland, please contact the local FSA to make an application.

## *COC Committee Election Results*

Congratulations to Rick Haberman who was elected to represent farmers from LAA 1 on the county committee. Rick was elected to his second 3 year term. The election results for Local Administrative Area 1 are:

Rick Haberman — elected to the county committee (COC)  
Doss Roberts — First Alternate to COC

FSA appreciates all of the voters for taking the time to complete the election ballot. The county committee system works only because of your participation. The committee members held their organizational meeting on January 12 to determine who will serve as the county committee chairperson. Brent DeKoning will serve as Chairperson for 2009.

## *Payment Limits & Direct Attribution*

To qualify for commodity and disaster programs under the new farm bill, applicants now must adhere to new **Adjusted Gross Income (AGI)** restrictions. The AGI ceiling limitation was reduced from \$2.5 million from all sources to a three-year average **non-farm AGI of \$500,000**. Also, under the new regulations, an individual or entity must have a 3-year average AGI less than or equal to \$750,000 from farm income in order to qualify for direct payments issued under the Direct and Counter-cyclical Program (DCP) or the Average Crop Revenue Election Program (ACRE).

For conservation programs, the average nonfarm AGI limitation is \$1 million or less for eligibility. However, an individual or entity who has non-farm AGI in excess of \$1 million remains eligible for conservation programs only if 66.66 percent or more of the total AGI is derived from farming, ranching and forestry operations. In addition, the AGI limitation for conservation programs may be waived on a case-by-case basis if it is determined that environmentally sensitive land of special significance would be protected.

Another change in eligibility is that program payments are limited by direct attribution of payment totals directly to individuals or indirectly to individuals through entities. A legal entity is defined as an entity created under Federal or State law that owns land or an agricultural commodity, product or livestock. Through direct attribution, payment limitation is based on the total payments received by the entity and also the individual, both directly and indirectly as a partner or shareholder in an entity. Qualifying spouses are eligible to be considered separate persons for payment limitation purposes, rather than being automatically combined under one limitation. Also, individuals and entities must be "actively engaged in farming" with respect to a farming operation in order to be eligible for specified payments and benefits. To be "actively engaged in farming," the individual or entity must make significant contributions to the farming operation of: (1) capital, equipment, land, or a combination; and (2) personal labor or active personal management, or a combination. For more information on how these provisions apply to your own situation, contact your local FSA office.



### Kittitas County FSA

607 Mt. View Avenue  
Ellensburg, WA 98926  
Office Phone: (509) 925-8585  
Office Fax: (509) 925-8591

### Office Hours

Monday – Friday  
8:00 AM – 4:30 PM

### Office Staff

Brent Reitmeier, CED  
Betty Cervine, PT

### Farm Loan Staff

**(509) 454-5746**  
Lisa Ruff, FLM  
Scott Smith, FLO  
Crispin Garza,  
Service Center Liaison  
Sandy Christensen, FLP Tech.

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### County Committee

Brent DeKoning, Chair  
Bart Bland, Vice Chair  
Rick Haberman, Member  
Cristi Eaton, Advisor

### Next COC Meeting

Tuesday, February 10  
@ 9:00 a.m.

### Important Dates

2/2-2/27 – Lamb Referendum

2/16 – Office Closed for the  
President's Day Holiday

2/27 – CDP Quality/Quantity  
Signup Deadline

Ongoing DCP Signup –  
Deadline June 1, 2009





### *USDA Sets Date for Lamb Referendum*

USDA has announced that it will offer lamb producers, feeders, and first handlers the opportunity to vote in a nationwide referendum on whether to continue or terminate the Lamb Promotion, Research, and Information Order, authorized under the Commodity Promotion, Research, and Information Act of 1996. **The referendum will be held Feb. 2-27, 2009.**

The referendum will be conducted at the FSA county office. To be eligible to vote, persons must certify and provide documentation, such as a sales receipt or remittance form, which shows they have been engaged in the production, feeding, or slaughtering of lambs during the period, Jan. 1, 2008 through Dec. 31, 2008.

### *DCP Signup Underway*

Signup has started for the 2009 Direct and Counter-cyclical Payment (DCP) Program for farms with base acres. Contact your local USDA office or service center now. Signup will continue until June 1, 2009. The June 1, 2009 deadline is mandatory for all participants. FSA will not accept any late-filed applications. An electronic application is also available for DCP (or eDCP) for those who wish to register and explore this option. Contact your local FSA office for more information and to establish the required *eAuthentication Level 2* account.

FSA computes DCP Program payments using base acres and payment yields established for each farm. Eligible producers receive direct payments at rates established by statute regardless of market prices. For 2009, you may request to receive advance direct payments based on 22 percent of the direct payment for each commodity associated with the farm. Counter-cyclical payment rates vary depending on market prices and are issued only when the effective price for a commodity is statutorily set below its target price. Producers who are eligible for the DCP Program will also be eligible to enroll in the Average Crop Revenue Election (ACRE) Program. The enrollment period for the ACRE Program will begin in the spring. You may first enroll in the DCP Program, receive advance direct payments and then later modify your enrollment to include the ACRE program or you may wait and elect to enroll in DCP and ACRE at the same time in spring 2009.

### *Power of Attorney*

For experiencing difficulties visiting the county office because of work schedules, distance, health or other reasons, FSA has a power of attorney form available that enables you to designate another person to conduct your business at the office. If you are interested, please contact our office or any Farm Service Agency office near you for more information.

### *Appeal Process*

After an FSA official makes a decision on your request or application for USDA services, you will be sent a letter informing you of the decision and options you can pursue if you disagree.

Generally, appellants have four choices — an informal review with the original agency decision maker, an opportunity for mediation or appeal to the State FSA Committee or National Appeals Division.

### *Controlled Substance*

Any person who is convicted under federal or state law of a controlled substance violation could be ineligible for USDA payments or benefits. Violations include planting, harvesting, growing or distributing. Prohibited plants include marijuana, opium, poppies and other drug producing plants.

### *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. The Farm Service Agency administers this program for USDA. 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.