

For: State and County Offices

2008 Aquaculture Grant Program (AGP)

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

The American Recovery and Reinvestment Act of 2009 (Recovery Act) was signed into law on February 17, 2009. Recovery Act, Section 102(d) provides \$50 million to administer AGP. AGP’s purpose is to assist aquaculture producers who incurred losses associated with high feed input costs during the 2008 calendar year.

Notice DAP-306 provided that AGP would be administered through State Departments of Agriculture and that State and County Offices will **not** be involved with administering AGP.

State Departments of Agriculture have been instructed that the total amount of assistance that a person may receive from the funds made available under AGP shall not exceed \$100,000 in aggregate, except for general partnerships and joint ventures, the case assistance shall **not** exceed \$100,000 times the number of members that constitute the general partnership or joint venture. Furthermore, the rules of 7 CFR Part 1400 in effect for 2008 shall apply to “person” determinations for AGP.

Concerns have been raised with respect to ensuring consistency and equitability among State Departments of Agriculture in making “person” determinations for AGP payment limitation purposes.

Furthermore, aquaculture producers applying for AGP benefits with the State Departments of Agriculture must certify that records on file for the producer at an applicable County Office shows:

- That their average adjusted gross income does not exceed \$2.5 million for the three preceding tax years (2005-2007), as calculated under regulations in 7 CFR Part 1400
- Compliance with the conservation compliance eligibility provisions for other programs found at 7 CFR Part 12.

Disposal Date	Distribution
January 1, 2010	State Offices; State Office relay to County Offices

Notice DAP-311

1 Overview (Continued)

B Purpose

This notice:

- obsoletes Notice DAP-306
- instructs State and County Offices to assist in the implementation of AGP by:
 - providing State Departments of Agriculture with 2008 “person” determinations for aquaculture producers identified by the State Departments of Agriculture
 - accepting CCC-526’s and AD-1026’s from aquaculture producers, if needed.

2 Administering AGP

A Role of State Departments of Agriculture

The Recovery Act specifically states that AGP grants shall be made to States. CCC will provide block grants to State Departments of Agriculture, or similar State offices that are designated by the Governor of States, that agree to provide assistance to eligible aquaculture producers.

B Role of State and County Offices

State and County Offices shall:

- refer all inquiries received about AGP policy and signup to their respective State Department of Agriculture for additional guidance
- provide “person” determinations to State Departments of Agriculture, as instructed in subparagraphs 3 B and C
- accept AD-1026’s and CCC-526’s from aquaculture producers, if they do **not** currently have AD-1026’s and CCC-526’s on file with the applicable County Office.

Notice DAP-311

3 “Person” Determinations for AGP

A State Departments of Agriculture Responsibilities

State Departments of Agriculture will be instructed by the National Office to:

- determine aquaculture producers for which a “person” determination is required for AGP purposes
- require eligible aquaculture producers that do **not** have a “person” determination on file with FSA to visit the County Office and complete CCC-502
- provide the State Office with a list of aquaculture producers for which a “person” determination is required for AGP.

B State Office Responsibilities

State Offices shall:

- accept the State Department of Agriculture’s lists of aquaculture producers for which a “person” determination is required for AGP
- provide the applicable County Offices with a list of aquaculture producers for which “person” determinations are needed for AGP
- collect CCC-503A’s for the applicable aquaculture producers from County Offices
- provide the State Departments of Agriculture with the “person” determinations for applicable aquaculture producers.

C County Offices Responsibilities

County Offices shall:

- send the State Office the previously established 2008 “person” determinations for the aquaculture producers identified on the list from the State Office
- accept CCC-502’s from aquaculture producers identified on the list from the State Office, if a previous 2008 “person” determination is **not** on file for the producers
- have COC make “person” determinations according to 1-PL, Part 2, Section 6 and document on CCC-503A according to 1-PL, paragraphs 393 and 394
- provide the State Office a copy of CCC-503A for the aquaculture producers identified on the list from the State Department of Agriculture to the State Office.