

**For:** State and County Offices

**Salmon Recertified for Trade Adjustment Assistance (TAA) in Washington and  
Net Income Reporting Requirements Provided in Notice SP-28**

**Approved by:** Deputy Administrator, Farm Programs



**1 Overview**

**A Background**

The Foreign Agricultural Service has recertified the TAA petition for salmon marketed in the State of Washington in calendar year 2003. Therefore, salmon producers represented by the recertified petition are eligible to receive TAA benefits.

Notice SP-28, that announced TAA provisions for Alaska Salmon marketed in 2003, incorrectly provided that applicants would be required to submit documentation of the net income no later than January 13, 2004.

**B Purpose**

This notice provides:

- information about FAS recertification of the petition filed by salmon producers
- instructions to provide benefits to salmon producers represented by the FAS re-certified petition
- correct net income reporting requirements. The correct policy is that under all new and recertified FY 2005 petitions, documentation of net income may be submitted up through September 30, 2005.

<b>Disposal Date</b>	<b>Distribution</b>
December 1, 2005	State Offices; State Offices relay to County Offices

## **Notice SP-30**

### **2 Correction to Net Income Reporting Requirements in Notice SP-28**

#### **A Net Income Information in Notice SP-28**

Notice SP-28, subparagraph 2 B states, "Acceptable production evidence and documentation of net income must be submitted at the time of application but no later than January 13, 2005." Additionally, the note in subparagraph 2 B states, "The requirement that documentation of net income must be submitted during the 90-calendar-day application period is a new requirement applicable to all FY 2005 TAA applications."

#### **B Correct Net Income Information**

TAA applicants under any FY 2005 petition shall submit documentation of net income by COB September 30, 2005.

### **3 Provisions of Washington Salmon TAA for FY 2005**

#### **A Announcement of Approved Petition and Recertification**

A petition was filed on behalf of Washington salmon producers by the Puget Sound Salmon Commission. The initial petition, for salmon marketed in 2002, was implemented based on a Department press release dated October 22, 2003.

On October 27, 2004, FAS announced recertification of that petition. Under this recertification, benefits are available to applicants who marketed salmon in Washington during calendar year 2003. FAS will publish a notice in the Federal Register summarizing the petition and the reasons for its recertification on November 1, 2004.

## Notice SP-30

### 3 Provisions of Washington Salmon TAA for FY 2005 (Continued)

#### B Application Period and Documentation Requirements

Salmon producers covered by the recertified Washington petition may apply for benefits by submitting a completed FSA-229 starting November 1, 2004, through January 31, 2005, at the closest FSA County Office or USDA Service Center. Applications received late cannot be approved for cash benefits.

Acceptable production evidence must be submitted at the time of application, but no later than January 31, 2005. This evidence must verify salmon marketings of approved marketings in Washington from January 2003 through December 2003.

All other required application documentation, including documentation that the applicant's net income from fishing was lower in 2003 than in 2001, must be submitted by COB September 30, 2005.

#### C Eligible Producers

For purposes of this notice, an eligible applicant is a salmon producer as defined according to 1-PL, subparagraph 110 A, who commercially markets salmon in Washington and directly or indirectly, as determined by the Secretary, shares in the risk of catching and marketing salmon.

#### D Eligible Production

The quantity of salmon eligible for payment must:

- have been marketed in Washington from January 2003 to December 2003
- be 1 of the following varieties:
  - King (Chinook)
  - Silver (Coho)
  - Red (Sockeye)
- be verified by sales receipts or other marketing evidence from the buyer
- be expressed in a whole-fish weight basis.

## Notice SP-30

### 3 Provisions of Washington Salmon TAA for FY 2005 (Continued)

#### E Preliminary Payment Rate

The preliminary payment rate for Washington salmon is \$0.021 per pound, whole-fish weight basis. This rate is based on the assumption that all TAA preliminary payment rates will not be reduced. The reduction of all FY 2005 preliminary rates will occur if needed to prevent total TAA outlays for FY 2005 from exceeding the statutory outlay limit of \$90 million.

#### F Years for Net Income Comparison

Applicants must provide documentation that their net income from fishing was less in 2003 than it was in 2001. These comparison years apply to all applicants regardless of whether they received a cash TAA payment for their 2002 marketings. 1-SP is being amended to provide a new definition of the "pre-adjustment year" to be used for the net-income calculation.

Pre-adjustment year is currently defined as the tax year associated with the last marketing year of the five year base period used for calculating the petition's historical average price.

#### G CSREES Training Period

Applicants who did not receive technical assistance (provided by the University of Washington Sea Grant Program) under the FY 2004 TAA Program must obtain the technical assistance no later than May 2, 2005, to be eligible for cash benefits.

**Note:** This training deadline will be enforced by CSREES for all FY-2005 TAA training because of administrative and budgetary constraints.

Applicants who did receive the technical assistance last year must still contact CSREES, but will not be required to attend training as a requirement for cash payments. However, these applicants must still provide their County Office documentation from CSREES. This documentation, whether a letter to the applicant from CSREES, or the CSREES Technical Assistance Certification Form, must be submitted by COB September 30, 2005.

**4 Action**

**A State and County Office Action**

State and County Offices shall:

- inform potential applicants about program enrollment and eligibility requirements through:
  - over-the-counter discussion
  - newsletters
  - other methods of communication, as applicable
- accept FSA-229's.

**Note:** Use revised FSA-229 dated 10-27-04. The application and acceptable production evidence must both be received within the 90-calendar-day application period.

Software for FAS to re-certify petitions, and for County Offices to enter applications for re-certified and new petitions, is being developed. Instructions for using the software will be provided in a forthcoming SP notice.