

### Section 1. General Information

The Ohio Department of Agriculture will administer the Aquaculture Grant Program (AGP), a fish feed reimbursement program which will provide assistance to eligible aquaculture producers in the state who in 2008 experienced a substantial price increase of feed. Assistance provided under this program will be equivalent to the amount of funds provided to the State from the U.S. Department of Agriculture that will be made in accordance with Section 102(d) of the American Recovery and Reinvestment Act of 2009.

Assistance will be provided to eligible aquaculture producers in Ohio by check. Failure to comply with the terms and conditions of this program will subject the producer to refund any amounts received, plus interest, in addition to any other penalties under civil and/or criminal law.

### Section 2. Definitions

*Substantial Price Increase of Feed* describes an increase in the average price of feed sold to the producer of eligible aquaculture species that is 25 percent above the 2007-2003 average, as defined by the Ohio Department of Agriculture. (See the AGP Protein & Feed Cost Chart)

*Eligible Aquaculture Producers* means an individual or entity to be eligible to receive aquaculture payments under the Commodity Credit Corporation (CCC) Program the following provisions must apply:

During the 2008 calendar year, an aquaculture producer must have:

- 1.) Raised an aquaculture species in a controlled environment.
- 2.) Maintained the aquaculture species as part of a farming operation.
- 3.) Incurred financial risk in the production of such species.
- 4.) Experienced at least a twenty-five percent increase in feed costs purchased in 2008 compared to the 2007-2003 average cost of feed.
- 5.) Will certify that the funds received by the producer under this program will be used for expenditures associated with their current aquaculture operation.
- 6.) Produced an aquaculture species for which 2008 feed costs represented at least 25 percent of the producer's total input costs for the aquaculture operation.

In addition, assistance can only be provided to aquaculture producers that certify that:

- 1.) The producer will not apply for or receive any assistance covered by the Supplemental Agricultural Disaster Assistance Programs established under Section 531 of the Federal Crop Insurance Act and section 901 of the Trade Act of 1974 (these programs include the Emergency Assistance for livestock, Honey Bees, and Farm-Raised Fish (ELAP), Livestock Forage Disaster Program (LFP), Livestock Indemnity Program (LIP), Supplemental Revenue Assistance Program (SURE), and Tree Assistance Program (TAP) for any losses in 2008 relating to the same species of aquaculture.

- 2.) Funds received by the producer under this program will be used for costs associated with their current aquaculture operation.
- 3.) Records on file for the producers at an applicable Farm Service Agency county office show:
  - a. That their adjusted gross income does not exceed \$2.5 million for the three preceding tax years (2007-2005), as calculated under regulations in 7 CFR Part 1400, and
  - b. Compliance with the conservation compliance eligibility provisions for other programs found at 7 CFR Part 12, available at [http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title07/7cfr12\\_main\\_02.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title07/7cfr12_main_02.tpl)

### Section 3. Eligible Aquaculture Species

The following aquaculture species are eligible to participate in the program:

#### Carnivorous

Sunfish - Bluegill, Hybrids  
Yellow Perch  
Largemouth/Striped Bass  
Trout  
Salmon

#### Omnivorous

Catfish  
Tilapia  
Carp/Goldfish/Koi/Amus  
Baitfish – Minnows/Shiners

#### Crustaceans

Freshwater Shrimp  
Crayfish

### Section 4. Records and Audits

Eligible Aquaculture Producers that participate in the AGP shall:

1. Maintain for a period up to three years all records pertaining to the aquaculture operation.
2. Forward to the Ohio Department of Agriculture copies of records that support the receipt of assistance under the AGP.
3. Make the records available at all reasonable times for an audit or inspection by authorized representatives of the Ohio Department or the U.S. Department of Agriculture.

Failure to keep or make available such records will result in a termination of eligibility under the program and any funds received under the program will be refunded to the Ohio Department of Agriculture plus any interest accrued.

**To view the complete agreement and detailed rules and guidelines, see the *Agreement Between the CCC & Ohio to Establish the AGP* (Grant # USDA-FSA-ARRA-AGP-28) located on ODA's Web site, [www.agri.ohio.gov](http://www.agri.ohio.gov), under "Featured Programs" click on the "Aquaculture Grants Program."**