

DEFINITIONS AND OTHER INFORMATION

Application Period means from July 13, 2009 to August 13, 2009 for aquaculture producers

Aquaculture means the producing, raising, managing or harvesting of aquatic livestock in a controlled environment within or from a constructed impoundment.

Controlled Environment means an environment in which everything that can be practicably controlled with structures, facilities, growing media (including but not limited to water or nutrients) by the producer, is in fact controlled by the producer, as determined by industry standards.

Aquaculture Producer means any person engaged in producing, raising, managing or harvesting of aquatic livestock.

Eligible Aquaculture Producer means an aquaculture producer that:

- Is actively engaged in aquaculture production in Louisiana on July 13, 2009;
- Raised an aquaculture species in a controlled environment;
- Maintained the aquaculture species as part of a farming operation;
- Had a financial risk in the production of such species;
- 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, as certified by the producer;
- Experienced at least a 25 percent price increase of 2008 feed costs above the State's previous 5-year average (2003-2007) established for the applicable species;

Maximum Benefits under this and any other state's Agreement for this program shall not exceed \$100,000 in aggregate, except for general partnerships and joint ventures in which case assistance shall not exceed \$100,000 times the number of members that constitute the general partnership or joint venture. The payment limitation shall be applied to an applicant based on the applicant's business structure as it existed during calendar year 2008.

Aquaculture producers must certify that:

- 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;
- Funds received by the producer under this program will be used for costs associated with their current aquaculture operation; and
- Records on file for the producer at an Applicable Farm Service Agency county office show:
 - 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; and
 - Compliance with the conservation compliance eligibility provisions for other programs found at 7 CFR Part 12 (these may include Sodbuster and Swampbuster programs).
 - "Person Determinations" or CCC – 526 (FSA is responsible for person determinations. If a 2008 farm plan (CCC-502) is already on file with them, it will be used. If no farm plan is on file for 2008, you should contact your administrative FSA office to file a farm plan)