

PROGRAM OVERVIEW AND CRITERIA
THE FARM SERVICE AGENCY
STATE GRANT TO PROVIDE ASSISTANCE TO
ELIGIBLE CATFISH PRODUCERS

As Administered by the California Department of Food and Agriculture (CDFA)

The Farm Service Agency (FSA) may provide a grant to the State of California for distribution to eligible catfish producers adversely affected by disasters in 2005, 2006 or 2007, in accordance with the program criteria as outlined herein:.

A. BACKGROUND AND PURPOSE

Section 9002 of Title IX the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 provides such sums as are necessary to administer a Livestock Compensation Program (LCP). To provide assistance to eligible catfish producers under this program, FSA may provide a grant to California

B. DEFINITIONS

1. Disaster period means such time period as is designated by the President, declared by the Secretary or approved by the Administrator by a Physical Loss Notification (APLN) for such a disaster.
2. Eligible county means a county, or contiguous county, having a natural disaster designated by the President, or declared by the Secretary from January 2, 2005, through February 27, 2007, and can also include an approved APLN when the APLN references the same disaster included in a timely filed Presidential designation. CDFA has provided a list of eligible counties based on the production areas specified in the State of California, Resources Agency Department of Fish and Game- 2007 Registered Aquaculturists list. A full list of eligible counties in California is provided for your reference at the following URL: <http://disaster.fsa.usda.gov>
3. Eligible losses means losses related to catfish feed, including physical loss of feed that was damaged or destroyed, increased feed costs, and cost associated to lost feeding days, that occurred as a direct result of the same disaster condition described in the Presidential, Secretarial, or APLN designation for the eligible county during the disaster period as provide bat the URL provided in item B2. Such losses must have occurred from January 2, 2005, through February 27, 2007.

C. DETERMINING AMOUNT OF ASSISTANCE

1. CDFA will determine the amount of assistance requested from all eligible catfish producers with the State, using the calculation provided in item C2, and provide this information to FSA. Catfish producers must submit their completed applications to CDFA no later than **November 15, 2007**.
2. The amount of assistance provided to each eligible catfish producer from the State shall be equal to the smaller of:
 - Value of the producer's 2005, 2006 or 2007 eligible losses, as determined by the State.
 - Result of multiplying:
 - The number of tons of catfish feed purchased by the producer in calendar year 2005, 2006 or 2007 (through February 27, 2007 only).
 - The applicable 2005, 2006, or 2007 payment rate, as provided in item C3.

In accordance with item D5, adjustments shall be applied to the amount of assistance provided to each eligible catfish producer determined above.

3. The payment rate shall be that amount which FSA has determined is equal to 61% of the 30 day catfish feed supply rate for the applicable year, namely:
 - 2005 - \$24 per ton
 - 2006 - \$26 per ton
 - 2007 - \$29 per ton.
4. The total amount of the grant to a State shall be equal to the total amount of assistance requested from all eligible catfish producers in the State, determined in item C1.

D. PROVIDING ASSISTANCE

In the provision of assistance under this grant Agreement to eligible producers:

1. Application procedures for 2005, 2006, or 2007 catfish feed funds will be as determined by California.
2. Assistance shall only be provided to catfish producers that:
 - On the beginning date of the disaster period, were physically located in eligible counties, and suffered eligible losses.
3. Assistance shall only be provided to eligible catfish producers raising catfish in a controlled environment and maintaining catfish for commercial use as part of their farming operation and who have a risk in the production of such catfish.
4. Eligible catfish producer incurring eligible losses in more than one of the 2005, 2006 or 2007 years, shall elect to receive payments for losses incurred in only one of such years, and all of such losses must have been incurred in that same year.
5. If the eligible catfish producer elects to receive payment for catfish feed losses in 2005, the producer's payment, calculated in item C2, shall be reduced by the amount the producer received for the same or similar catfish feed loss under the 2005 Aquaculture Grant Program, in accordance with 7 CFR Part 760, subpart G, and the 2005 Catfish Grant Program, in accordance with 7 CFR Part 1416, Subpart I.
6. As a condition of receiving disaster assistance on catfish, producers must establish to the satisfaction of California that the producers have not already received or will not receive assistance covered by any other Federal program for the same catfish feed loss.
7. The total amount of assistance that a farming operation may receive from the State from the funds made available under this Agreement shall not exceed \$80,000, except for general partnerships and joint ventures in which case assistance shall not exceed \$80,000 times the number of members that constitute the general partnership or joint venture.
8. Assistance shall only be provided to eligible catfish producers who certify that records on file for that producer at an applicable FSA county office indicate:
 - a. That their adjusted gross income is under the eligibility limit for other programs under section 1001D of the Food Security Act of 1985 as calculated under regulations in 7 CFR Part 1400 subpart G; and

- b. Compliance with the conservation compliance eligibility provisions for other programs found at 7CFR Part 12.

Note: Catfish producers may file these documents immediately, if they have not already done so.

9. Payments are subject to the availability of funds and any requirements of law that may apply.