



Department of
Agriculture

**Work Plan (Revised)
2009
Aquaculture Grants Program**

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I. Introduction

This document presents the work plan for the 2009 Aquaculture Grant Program (AGP) by the Ohio Department of Agriculture.

- Section II presents a summary Background of the 2009 AGP
- Section III presents the Notification to Aquaculture Producers of the 2009 AGP
- Section IV presents the Implementation of the 2009 AGP by the Ohio Department of Agriculture
- Section V presents the Ohio Department of Agriculture's Process in which applications will be taken
- Section VI presents the process in which AGP Payments to Aquaculture Producers shall be Calculated
- Section VII presents AGP Producer Eligibility
- Section VIII presents 2009 AGP Loss Requirements
- Section IX presents 2009 AGP Required Documents
- Section X presents the State of Ohio's Methodology for Conducting Internal Reviews of the 2009 AGP as required by FSA
- Section XI presents Transparency & Accountability Requirements
- Section XII presents the compliance and Notification Requirements to FSA
- Section XIII presents the Registration Requirements

II. Background

On September 15, 2010, the U.S. Department of Agriculture authorized up to \$20 million in assistance to administer a 2009 Aquaculture Grant Program (the 2009 AGP). Through the 2009 AGP, FSA will provide grants to State governments to assist eligible aquaculture producers that suffered losses associated with high feed input costs during the 2009 calendar year. State grant amounts have be based on the amount of aquaculture feed used in each state during the 2003 through 2007 calendar years. For 2009, \$18.5 million will be allocated to states that participated in the 2008 AGP authorized under the ARRA of 2009. The 2009 AGP funding will be allocated to participating 2008 AGP States in a pro rata basis, based on the total amount of 2008 AGP benefits that would have been paid to eligible aquaculture producers in the state.

In the agreement signed between the FSA and the State of Ohio for the purpose of establishing a state grant to provide assistance to eligible aquaculture producers (Grant # USDA-FSA-2009 AGP-35), the State of Ohio will have up to \$34,859 for grants.

III. Notification to Aquaculture Producers of 2009 AGP

- a.) The Ohio Department of Agriculture will issue a press release announcing AGP after formal approval is received from CCC.
- b.) Postcard announcement of funds will be also sent to all known Ohio aquaculture producers.
- c.) Program information will be communicated to state extension offices, FSA Offices and other interested parties announcing the AGP. FSA has been notified of the implementation of the program.

IV. Implementation of Program

The AGP Application, Instruction & Attachment Checklist, State Guidelines and all other related documents for the AGP will be posted Ohio Department of Agriculture website at: www.agri.ohio.gov . ODA Staff will be of assistance to applicants for questions pertaining to the application or reimbursement calculation.

V. State Application Process

All AGP Required Documents, including the application, must be mailed to the Ohio Department of Agriculture by the deadline, **February 4, 2011** at 5:00 p.m.

VI. Payment Calculations

The Ohio Department of Agriculture payments calculations will be determined by:

- a) Subtracting the producer's 2009 fish feed cost (price/lb.) from the 2003-2007 average feed cost (price/lb.) for 3 protein levels of feed. Average feed costs were calculated by using average feed costs for three suppliers to Ohio. If the 2009 cost exceeds 125% of average feed cost then the price difference will be,
- b) Multiplied by the producers 2009 pounds of feed that was purchased to determine the amount a producer is eligible to receive before payment limitations.

Average feed costs were calculated using aquaculture feed contract prices from the three of the largest suppliers of supply fish feed to Ohio producers for the 2003 to 2007 period. Protein levels are typical levels of protein for the different aquaculture species and production cycles. Applicants must list the appropriate Protein Tier Level depending upon the protein level of the purchased feed. Three tier levels were created to determining average prices: (greater the 45%; between 45-35% and less than 35%).

The total amount of assistance that a person may receive, directly or indirectly, from the funds made available *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.

In the event that the total amount of requested funds from eligible applicants after applying the \$100,000 payment limitation exceeds the amount available (\$34,859),

distribution of funds will be pro-rated among applicants.

VII. Producer Eligibility

During the 2009 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.) Raises aquaculture as of the date of the AGP application.
- 5.) Experienced at least a twenty-five percent increase in feed costs purchased in 2009 compared to the 2003-2007 average cost of feed.
- 6.) Will certify that the funds received by the producer under this program will be used for expenditures associated with their current aquaculture operation.
- 7.) Produced an aquaculture species for which 2009 feed costs represented at least 25 percent of the producer's total input costs for the aquaculture operation.
- 8.) Submits acceptable documentation for 2010 feed purchases during the months May 2010 through August 2010 to establish that the producer's operation is still in business.

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

- 1.) Funds received by the producer under this program will be used for costs associated with their current aquaculture operation.
- 2.) Records on file for the producers at an applicable Farm Service Agency county office show:
 - a. That their average adjusted gross non-farm income does not exceed \$500,000 for the three preceding tax years (2005-2007), 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

VIII. Loss Requirements

Eligible aquaculture producers must have produced an aquaculture species for which 2009 feed costs represented at least twenty-five (25) percent of the producer's total input costs for the aquaculture operation. Eligible aquaculture producers must be raising such aquaculture species as of the date of their AGP application with the State. An eligible aquaculture producer must have also experienced at least a twenty-five (25) percent increase of feed costs above the State's previous five (5) year average (2003-2007) for such applicable species. A twenty-five (25) percent increase for a species shall be determined by multiplying the State's previous five (5) year average and multiplying that number by 1.25.

IX. Required Documents

- 1.) Completed AGP Application Form.
- 2.) Completed and signed IRS Form W-9 (if not previously filed).
- 3.) Vendor Information Form. (OBM-5657 – if not previously filed)
- 4.) Copy of invoices or other verification from feed mill or broker reflecting the total cost of fish feed that was purchased during calendar year 2009.
- 5.) Copy of invoices or other verification from feed mill or broker reflecting verification that fish feed that was purchased May-August of calendar year 2010.
- 6.) Completed Declaration Regarding Material Assistance (DMA) Form. (HLS 0038)

The following forms must be on file with your county office of USDA Farm Service Agency:

- 7.) Applicants must have on file with FSA forms AD-1026, CCC-926 and the CCC-901 (for entities only) to be eligible to receive reimbursement funding. All applicants will need to contact their county FSA Office to file. To access forms on-line: <http://forms.sc.egov.usda.gov/eForms/searchAction.do>

The following forms must be on file with IRS:

8. Applicants must have CCC-927 (individuals) or CCC-928 (entities) on file with IRS to be eligible for reimbursement funding.

X. Methodology for Conducting Internal Reviews

The State agrees to conduct internal random reviews of the program, no later than 60 days after providing assistance to eligible aquaculture producers. This review is to ensure applicants are equitably compensated for losses and to ensure that applicants' losses are verified. The State agrees to conduct internal random reviews on five (5) percent of the total applications the State receives from applicants.

XI. Transparency & Accountability

- 1.) The State agrees to submit results of the internal reviews electronically to FSA no later than 90 days after providing assistance to eligible aquaculture producers. Results of internal reviews will be mailed to Amy Mitchell, Special programs Manager, at amy.mitchell@wdc.usda.gov.
- 2.) The State agrees to have an annual audit of this program as required by the Single Audit Act Amendments of 1996, OMB Circular A-133 and & CFR Part 3052, Audits of States, Local Governments, and Non-Profit Organizations.
- 3.) The State agrees to their responsibilities with respect to preparing audit documentation and reports in accordance with OMB Circular A-133.

XII. Notification to FSA

- 1.) The State agrees to submit a report to FSA detailing in which manner the State provided assistance to eligible aquaculture producers.
- 2.) The State agrees to submit a report to FSA no later than 30 days after the State provides assistance to eligible aquaculture producers that provide the amount of assistance per producer and aquaculture specie, in a format determined by FSA to ensure compliance.

XIII. Registration Requirements

- 1.) The State agrees to establish a Dun and Bradstreet Universal Numbering System (DUNS) or update an existing DUNS record.
- 2.) The State agrees to register in the Central Contractor Registration (CCR) database.
- 3.) The State agrees to ensure that producers that are not individuals establish a DUNS number or update an existing DUNS number.
- 4.) The State agrees to ensure that producers that are not individuals register in the CCR database.

All funds are contingent upon availability for funding from USDA-FSA.

Exhibit A

The following items must be **submitted to the Ohio Department of Agriculture** (ODA) by **February 4, 2011** to constitute a complete Aquaculture Grants Application:

- 1. Checked **Instructions & Attachment Checklist**. (this document)
- 2. Completed **AGP Application Form**.
- 3. Completed and signed **IRS Form W-9** (not required if submitted last year)
- 4. Completed **Vendor Information Form** (not required if submitted last year)
- 5. **Copy of invoices or other verifications from a feed mill or broker** reflecting the cost of fish feed that was **purchased during calendar year 2009**, in addition to **May-August 2010 invoices** to validate 2010 production.
- 6. Completed **Declaration Regarding Material Assistance (DMA) Form**. (HLS 0038)
- 7. Completed DUNS registration. A Dun & Bradstreet Data Universal Numbering System (DUNS) number is necessary for any producers/feed mills that are not filing as individuals. <http://fedgov.dnb.com/webform/displayHomePage.do>

The following forms must be on file with your county office of USDA Farm Service Agency:

- 8. Applicants must have on file with FSA forms **AD-1026**, **CCC-926** and **CCC-901** (for entities only) to be eligible to receive reimbursement funding. Contact your county FSA Office to see if you are on file. To access forms on-line: <http://forms.sc.egov.usda.gov/eForms/searchAction.do>

The following forms must be on file with IRS (forms can be found on ODA website, must be mailed to IRS):

- 9. Applicants must have **CCC-927** (individuals) **OR** **CCC-928** (entities) on file with IRS to be eligible for reimbursement funding.

For eligibility requirements, program rules, and links to the above forms, refer to ODA's Web site, www.agri.ohio.gov, under "Promotional Programs" click on the "Aquaculture Grants Program."

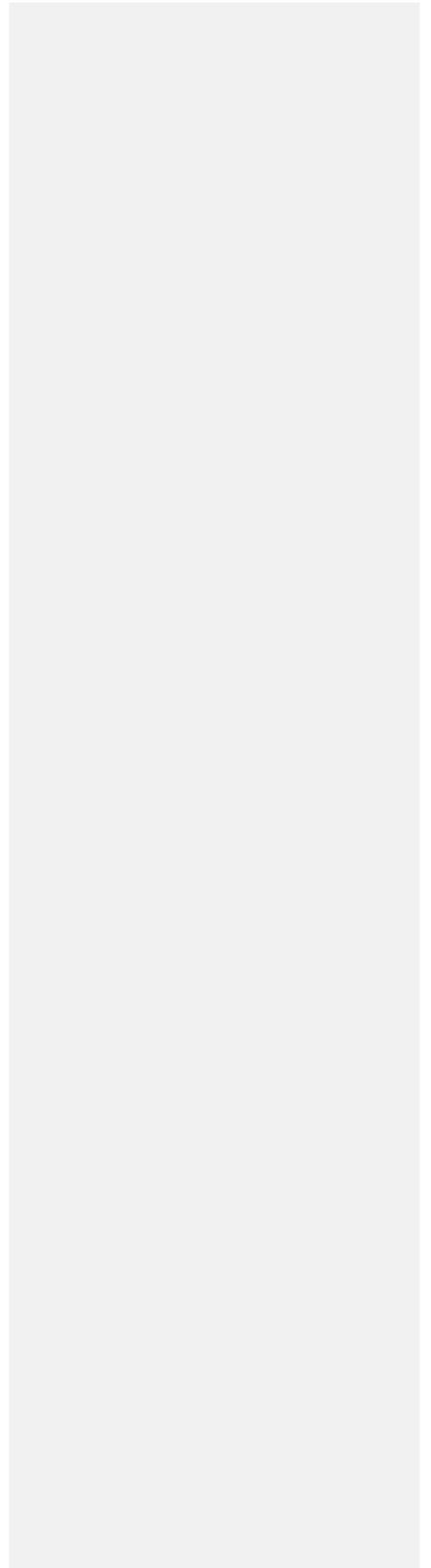
Please note that incomplete forms will delay or deny reimbursement. If you have questions, please call Lindsey Mandau at (614) 387-0474.

ALL of the above items must be submitted by **February 4, 2011 at 5:00 p.m. to:**

Ohio Department of Agriculture
Aquaculture Feed Program
Attn: Lindsey Mandau
8995 E. Main St.
Reynoldsburg, OH 43068

PLEASE BE ADVISED: KNOWINGLY PROVIDING FALSE INFORMATION ON THIS APPLICATION COULD LEAD TO THE IMMEDIATE CANCELLATION OF THE GRANT AND A LEGAL PROCESS TO RECOVER FUNDS ALREADY PAID.

Exhibit B



2009 Ohio Aquaculture Permit Number	2009 Fish Feed Costs as a % of Total Operating Costs				Social Security # or Tax ID #
_____	_____ %				_____
2009 Purchase Date(s)	___/___/09	___/___/09	___/___/09	___/___/09	
Fish Species Produced: (List each specie at each unique feed cost separately)	_____	_____	_____	_____	
(A) 2009 Fish Feed Cost: (price/lb.)	\$ _____	\$ _____	\$ _____	\$ _____	
(B) 2003-07 Average Feed Cost Price/lb - see instructions to determine Protein Tier Average Pricing (circle tier)	(_____) Tier: 1 - 2 - 3	(_____) Tier: 1 - 2 - 3	(_____) Tier: 1 - 2 - 3	(_____) Tier: 1 - 2 - 3	
(C) Price Difference (subtract A - B)	_____	_____	_____	_____	
(D) Pounds of Fish Feed Purchased (2009 Calendar Year)	x _____	x _____	x _____	x _____	
(E) Eligible \$ for Reimbursement (C) x (D) =	[_____]	[_____]	[_____]	[_____]	

*Attach a copy of your feed bills, invoices, or other verification to validate your total fish feed costs for 2009 in addition to feed bills for the May-August 2010 period to validate 2010 production.

Do you have an aquaculture operation in another state? Yes No
If yes, in what other state(s) _____

Producer or Company Name: _____

For companies applying, please provide your DUNS # _____ .
A Dun & Bradstreet Data Universal Numbering System (DUNS) number is necessary for any producers/feed mills that are not individuals. If you do not have a number information is available at: <http://fedgov.dnb.com/webform/displayHomePage.do>

Address: _____

City: _____ State: Ohio Zip _____
Phone: _____ County: _____

Total Funds Requested for Reimbursement: \$ _____
Total Reimbursement - Line (E) before applying payment limitation and State payment factor (if applicable)

(if needed - use additional sheets to include additional 2009 fish feed purchased)

Comment [LM1]:

I certify that:

- Statements within my application are true and correct. I am in compliance with all items listed in the *AGP Guidelines* and understand that false statements can be the subject of substantial civil and/or criminal liability and sanctions.
- I raised an aquaculture species in a controlled environment and as part of a farming operation during the 2009 calendar year, and I had a risk in production of the aquaculture species.
- The farming operation is in operation as of the date of this application.
- The feed costs represented at least 25 percent of the total annual input costs for my aquaculture operation in 2009.
- That my feed costs increased by at least 25 percent in 2009 above the State's 5 year average (2003-2007).
- That funds received under this program will be used for costs associated with my current aquaculture operation.
- Records on file at my county Farm Service Agency office provide that my average adjusted gross non-farm income does not exceed \$500,000 for 2005-2007 and that I am in compliance with conservation compliance eligibility provisions as found at 7 CFR Part 12.
- I will retain records pertaining to the information provided herein for 3 years following the end of the year during which this application was filed.
- I will permit authorized representatives of the State, the USDA, and other branches of the federal government access to facilities and records as needed to assure compliance with the program.

Signature:

Date: ___ / ___ / ___

Print Name:

Application Form Instructions:

(A) 2009 Fish Feed Cost: Insert the price/lb. you paid per specie (listed at the top of column) that was purchased during 2009 for aquaculture production in Ohio.

(B) 2003-07 Average Feed Cost: Insert the appropriate average price/lb. for the species (listed at the top of the column). The average will be \$0.518, \$0.337, or \$0.257, depending on the Protein Tier Level. Example: If the protein level of the purchased feed was 40%, your purchase is in the Tier 2 category. Place \$0.337 in this field. To receive reimbursement the price paid for the feed would need to exceed \$0.421/lb. The state average feed costs will be used for all applicant calculations.

*For additional information on protein levels, refer to the *AGP Protein & Feed Cost Chart*.

	2003-07 Average (B) (Price/lb.)	For Reimbursement 2009 Feed Costs in (A) Must exceed (B) by 25%
2003-07 Average Feed Cost (B)		
Protein level greater than 45%	Tier 1 (\$0.518)	(\$0.648)
Protein level between 35% - 45%	Tier 2 (\$0.337)	(\$0.421)
Protein level less than 35%	Tier 3 (\$0.257)	(\$0.321)

(C) Price Difference:

Subtract [(price/lb. on line A) from the (price/lb. on line B)] = Difference (price/lb)

(D) Enter the number of pounds of fish feed purchased for each species (listed at the top of the column) at the indicated protein level during the 2009 calendar year.

(E) Multiply the price difference on line (C) by the number of pounds of feed on line (D) to determine the eligible dollars for reimbursement for each species and indicated protein level.

(C) x (D) = (E)

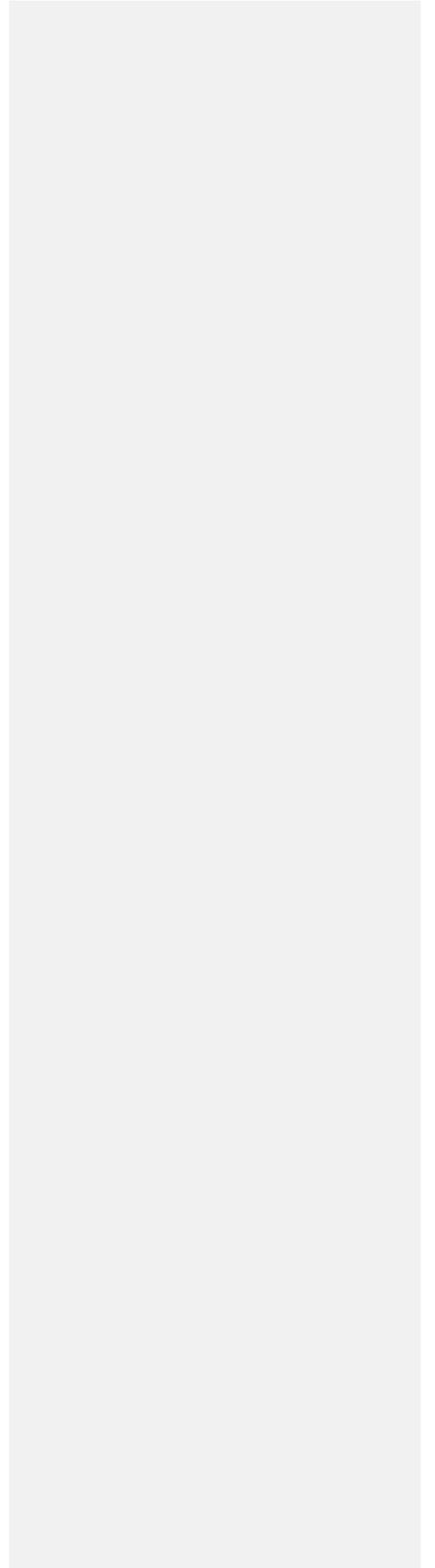
If multiple species and different protein rations were purchased in 2009, the total funds requested for reimbursement will equal to the sum of the amounts listed for each column category on line (E). Enter your sum (E) total into the box labeled: **\$ _____ Total Reimbursement Line (E)**

Please attach a copy of your feed bills to validate your fish feed cost figures on line (A).

Worksheet Example: \$1,156 Total Grant Reimbursement – Sum Totals from Line (E) before applying payment limitation and State payment factor, if applicable.

2009 Purchase Date(s)	<u>2/14/09</u>	<u>5/ 11 /09</u>	<u>8/21/09</u>	<u> / /09</u>
Fish Species Produced: (Copy worksheet if added columns needed)	<u>Yellow Perch</u>	<u>Shrimp</u>	<u>Bluegill</u>	<u> </u>
	<u>Price/lb.</u>	<u>Price/lb.</u>	<u>Price/lb.</u>	<u>Price/lb.</u>
(A) 2009 Fish Feed Cost: (price/lb.)	<u>\$ 0.70</u>	<u>\$ 0.34</u>	<u>\$ 0.48</u>	<u>\$ _____</u>
(B) 2003-07 Average Feed Cost Price/lb – see instructions to determine Protein Tier Average Pricing (circle tier)	<u>(\$0.518)</u> Tier - 1	<u>(\$0.257)</u> Tier - 3	<u>(\$0.337)</u> Tier - 2	<u>(_____)</u> Tier: 1 - 2 - 3
(C) Price Difference (subtract A - B)	<u>\$0.182</u>	<u>\$0.083</u>	<u>\$0.143</u>	<u> </u>
(D) Number of <u>Pounds</u> of Fish Feed Purchased (2009 Calendar Year)	<u>x 2,500</u>	<u>X 5,000</u>	<u>x 2,000</u>	<u>x _____</u>
(E) Eligible \$ for Reimbursement (C) x (D) =	<u>[\$455.00]</u>	<u>[\$415.00]</u>	<u>[\$286.00]</u>	<u>[_____]</u>

Exhibit C



Section 1. General Information

On September 15, 2010, the U.S. Department of Agriculture authorized up to \$20 million in assistance to administer a 2009 Aquaculture Grant Program (the 2009 AGP). Through the 2009 AGP, FSA will provide grants to State governments to assist eligible aquaculture producers that suffered losses associated with high feed input costs during the 2009 calendar year. 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.

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 2009 AGP the following provisions must apply: During the 2009 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 2009 compared to the 2003-2007 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 2009 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:

- 7.) Funds received by the producer under this program will be used for costs associated with their current aquaculture operation.
- 8.) Records on file for the producers at an applicable Farm Service Agency county office show:
 - a. That their average adjusted gross non-farm income does not exceed \$500,000 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

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/Amurs
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 FSA & Ohio to Establish the AGP* (Grant # USDA-FSA-2009 AGP-35) located on ODA's Web site, www.agri.ohio.gov, under "Promotional Programs" click on the "Aquaculture Grants Program."

Exhibit D

**Species/Protein Chart
(Percent Protein)**

Species	Larval (starter feeds)	Growout	Broodstock
Carnivorous			
Sunfish -Bluegill, hybrids	45-50	36-42	42
Yellow perch	45-50	38-45	40
Largemouth/stripped bass	45-50	38-45	40
Trout	45-50	42-46	40
Omnivorous			
Catfish	45-50	28-36	36
Tilapia	45-50	28-35	36
Carp/goldfish/koi/amurs	45-50	28-36	34
Baitfish -Fathead minnows	45-50	28-32	36
Crustaceans			
Freshwater shrimp	45-50	30-36	na
Crayfish		28-32	na

Protein Level	To Be Eligible for Grant \$		
	2003-07 Average Cost *	2009 Feed Costs Must be Greater than	
Tier 1 - High Protein Feed	Greater than 45%	\$0.518	\$0.648
Tier 2 - Medium Protein Level Feed	Between 45% and 35%	\$0.337	\$0.421
Tier 3 - Low Protein Level Feed	Less than 35%	\$0.257	\$0.321

Average prices (*) were calculated by using price averages for three major suppliers of aquaculture feed in Ohio for the 2003 to 2007 period. Protein levels are suggested levels of protein used for different aquaculture species and production cycles. All prices are listed price per pound. Tier 3 average was calculated from the information that was supplied by one commercial supplier and the average feed costs at The Ohio State University – Piketon facility.

Higher protein level feeds are used for different aquaculture species within different stages of their production cycles. Carnivorous (bluegill, trout, bass and yellow perch) and Omnivorous (catfish, tilapia and baitfish) species require higher protein feed levels during the larval stage of production (starter feeds) compared to grow-out or brood-stock requirements. Crustaceans (shrimp and crayfish) require a lower level protein in the feed. Higher protein level feeds command a higher price than lower levels of protein feed.

When determining the average cost of aquaculture feed for Ohio’s program three levels of protein feed (1 - greater than 45%; 2 – 45 to 35%; 3 – less than 35 %) were considered and average prices tiers were calculated for each tier level. Aquaculture feed costs were obtained from three of the largest suppliers of aquaculture feed in Ohio and The Ohio State University’s Ohio Center for Aquaculture Research and Development (OCARD) at Piketon Ohio for the feed purchased for the period 2003 to 2007.

Research conducted at The Ohio State University’s Ohio Center for Aquaculture Research and Development (OCARD) has helped to increase the productivity, innovation and profitability of Ohio and US aquaculture operations. OCARD extension has emphasized respecting sustainability and good stewardship of the state’s resources by implementing good stewardship and by implement of innovative research, outreach, extension and education programs in aquaculture.