

AGRICULTURE, TRADE & CONSUMER PROTECTION 703
 Ag 165

Chapter Ag 165

ANIMAL WASTE GRANT PROGRAM

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Ag 165.01 **Definitions.** (1) "Animal feeding operation" means a lot or facility, other than a pasture, where animals have been, are, or will be fed, confined, maintained, or stabled for a total of 45 consecutive days or more in any 12 month period.

(2) "A.r.s. feedlot model" means the analytical model developed by the agricultural research service of the United States department of agriculture and described in the guidebook "An evaluation system to rate feedlot pollution potential" published by the agricultural research service in April, 1982.

Note: The a.r.s. feedlot model is used to rate the water pollution potential of surface runoff from feedlots. Ratings range from 0 to 100. A copy of the April, 1982 guidebook containing the a.r.s. feedlot model may be inspected at the central offices of the department and at the offices of the secretary of state and revisor of statutes. Copies may be obtained, at cost, at the central offices of the department.

(3) "County agency" means a land conservation committee, county department or other agency of the county designated by the county board to assist the department with administration of the animal waste grant program under this chapter.

(4) "Department" means the Wisconsin department of agriculture, trade and consumer protection.

(5) "Earthen manure storage facility" means an excavated or earthen impoundment for temporary storage of animal waste.

(6) "Runoff control systems" means structures, facilities or practices used to control, divert or retard surface runoff water, and includes diversions, dams, dikes, settling basins, filter walls, picket dams, gutters, downspouts, underground outlets, filter strips, and other similar practices and devices.

(7) "Technical guide" means the technical guide which is published by the soil conservation service of the United States department of agriculture and which is in effect on March 1, 1986.

(8) "Waste storage facility" means a concrete, steel or otherwise fabricated structure, or an excavated or earthen impoundment used for storage of animal waste.

(9) "Waste treatment facility" means an earthen lagoon, or a concrete, steel or other fabricated structure, used for biological treatment of animal waste.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; renun. (3) to (8) to be (4) to (9) and am. (6) to (9), cr. (3), Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.02 County animal waste water-pollution control plans. (1) **GENERAL REQUIREMENT.** To be eligible for the receipt of animal waste grant funds under s. Ag 165.04, a county agency shall prepare an animal waste management plan as provided in this section. Plans shall be submitted to the department for approval under sub. (3). No funds may be granted to a county agency under s. Ag 165.04 until the county board has adopted an approved plan.

(2) **PLAN CONTENTS; PREPARATION.** (a) *Water pollution sources; priority areas.* The county animal waste management plan shall delineate priority areas within the county where pollution problems associated with animal waste are most likely to occur. In order to identify priority areas, the county agency shall systematically consider:

1. The distance from animal feeding operations in the area to waters of the state.

2. The number, location and size of animal feeding operations within the area.

3. Soil, bedrock, water table and topographical features.

4. Available water quality data and management plans, including areawide water quality management plans prepared under ch. NR 121.

5. Other factors which are considered relevant by the county agency, and set forth in the animal waste management plan.

6. Other requirements adopted by the department.

(b) *Water pollution sources; nonpriority areas.* Animal feeding operations located outside priority areas may be included in an animal waste management plan if, based on the criteria set forth in par. (a), the county agency concludes that the animal feeding operations may potentially cause water pollution problems.

(c) *Meetings.* Before completing the county animal waste management plan, and as part of the plan preparation process, the county agency shall hold meetings with the owners and operators of animal feeding operations in the county. At the meetings, the county agency shall present and discuss information on the nature, extent and location of existing or potential animal waste water-pollution problems in the county; the measures which may be used to correct existing or potential problems; and the government programs available to assist in correcting these problems. At least one meeting shall be held for each priority area identified under par. (a). Owners and operators of animal feeding operations in priority areas, and those in non-priority areas identified under par. (b), shall be invited to attend, by means of individual written invitations.

(d) *Priority rankings.* If an animal feeding operation is located in a priority area under par. (a) or is identified under par. (b), and if the owner or operator expresses a willingness to participate in the animal waste grant program, the county agency shall rank the animal feeding opera-

tion with other animal feeding operations, in priority order on a county-wide basis, for receipt of cost-sharing grants under this chapter. Priority rankings shall be set forth in the animal waste management plan, and shall be reviewed and updated annually. Priority ranking shall be based on the severity of water pollution associated with the animal feeding operation, and other factors set forth in this paragraph. Highest priority shall be given to animal feeding operations in the county which have been identified by the department of natural resources under s. NR 243.21 as having caused the discharge of a significant amount of pollutants to waters of the state. In establishing other priorities, the county agency shall consider:

1. Numerical ratings calculated by means of the a.r.s. feedlot model.
2. The need for animal waste storage or treatment facilities, based upon the availability of suitable land for the winter spreading of animal waste.
3. The probable cost-effectiveness of animal waste storage or treatment facilities as a means for preventing water pollution.
4. Soil, bedrock, and water table characteristics.
5. Relevant information contained in areawide water quality management plans prepared under ch. NR 121, other water quality plans prepared by the department of natural resources or areawide water quality planning agencies, and county agricultural preservation plans and exclusive agricultural zoning ordinances prepared under ch. 91, Stats.
6. Other information or criteria which may be considered relevant by the county agency, if set forth in the animal waste management plan.
7. Other information or criteria which are considered relevant by the department.

(e) *Remedial measures.* Based on information developed under pars. (a) through (d), the county animal waste management plan shall:

1. Identify and evaluate the general alternative measures which may be used by owners or operators of animal feeding operations to correct or prevent water-pollution problems. The evaluation of alternatives shall include a general comparison of costs and benefits. Upon request of the owner or operator of an animal feeding operation, the county shall recommend specific practices which may be used to correct or prevent water-pollution problems associated with the operation, and the approximate cost of the recommended practices.
2. Identify and evaluate the measures which may be available to the county agency to correct or prevent water-pollution problems associated with animal feeding operations. Measures may include:
 - a. An application for grant funds under this chapter.
 - b. The adoption of a county ordinance regulating the design, installation, operation and management of animal waste storage facilities.
 - c. Amendments to county shoreland zoning ordinances enacted under s. 59.971, Stats., or county zoning ordinances enacted under s. 59.97, Stats.

d. Application for watershed project funding under the nonpoint source water-pollution abatement program created under s. 144.25, Stats.

e. Information and education programs.

f. Other measures identified by the county.

3. Indicate which of the measures the county agency intends to implement.

(f) *Description of plan preparation process.* The county animal waste management plan shall describe the specific process used by the county to comply with the requirements of this section.

(3) **DEPARTMENTAL APPROVAL OF COUNTY ANIMAL WASTE MANAGEMENT PLANS.** County animal waste management plans shall be submitted by the county agency to the department for review and approval for compliance with this section. In its review of county plans, the department shall consider typical agricultural practices, and the costs, needs and technologies of agricultural production. Prior to approving or disapproving a county plan, the department shall refer the plan to the land conservation board for its recommendations on approval or disapproval. If the department disapproves a county plan, the department shall provide the county agency a written explanation of the reasons for disapproval. The county agency may revise a disapproved plan and resubmit it to the department for review and approval.

(4) **PLAN REVISIONS.** A county agency may revise its animal waste management plan. Plan revisions shall comply with the requirements of this section.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; am. (1), (2) (a) (intro.) and 5., (c), (a) (intro.), 2. and 6., (e) (intro.), 2. intro. and 3., (f), (3) and (4), cr. (2) (a) 6. and (2) (d) 7., r. and recr. (2) (b), Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.03 County ordinances. (1) **GENERAL REQUIREMENT.** Except as provided under s. Ag 165.05, no county may participate in the animal waste grant program under this chapter until the county has adopted an approved ordinance establishing minimum standards for the design and construction of earthen manure storage facilities.

(2) **STANDARDS FOR ORDINANCES.** (a) *Design and construction standards.* County ordinances shall require that all earthen manure storage facilities constructed in the county after the effective date of the ordinance be designed and constructed in compliance with standards and specifications number 425 of the technical guide or other standards approved by the department.

(b) *Administration and enforcement.* County ordinances shall include provisions for administration and enforcement.

(3) **DEPARTMENT APPROVAL OF ORDINANCES.** County ordinances shall be submitted to the department for review and approval for compliance with this section. In its review of county ordinances, the department shall consider typical agricultural practices, and the costs, needs and technologies of agricultural production. Prior to approving or disapproving a county ordinance, the department shall refer the ordinance to the land conservation board for its recommendation. If the department disapproves a county ordinance, the department shall provide the county

with a written explanation of the reasons for disapproval. The county may amend a disapproved ordinance and resubmit it to the department for review and approval.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84.

Ag 165.04 Allocation of funds to counties. (1) GENERAL. The department may allocate animal waste grant funds to county agencies, as provided in s. 92.15, Stats. Funds allocated to the county agencies under this section shall be used for the purposes provided under s. Ag 165.06. Funds may be allocated only to those counties which have adopted an approved animal waste management plan under s. Ag 165.02 and an approved ordinance under s. Ag 165.03. Fund allocations shall be made in compliance with s. Ag 165.06 and this section.

(2) **METHOD OF ALLOCATION.** (a) Animal waste grant funds shall be allocated to county agencies on an annual, or other periodic basis. Before making a periodic allocation of funds, the department shall solicit funding applications from all county agencies qualified under sub. (1). Funding applications shall be submitted on forms provided by the department, on or before the deadline date established by the department. Each funding application shall identify, by reference to the county animal waste management plan, the projects proposed for funding within the county, and the relative priority of the proposed projects.

(b) For each periodic allocation of funds, the department shall prepare an allocation plan based on a review of funding applications submitted by the counties. Before allocating any funds under the plan, the department shall submit the proposed plan for review and recommendations by the land conservation board. The allocation plan shall identify:

1. The total amount of funds to be allocated to county agencies under the plan.
2. Each county agency to which funds are to be allocated.
3. The amount to be allocated to each county agency. A copy of the proposed funding contract with each county agency shall be included with the allocation plan.
4. The basis for the proposed allocation of funds among county agencies, based on the allocation criteria under sub. (3).

(3) **ALLOCATION OF FUNDS AMONG COUNTIES; CRITERIA.** In its allocation of funds among county agencies, the department shall consider:

(a) The number of animal feeding operations identified in the county plans which are in need of measures to correct or prevent animal waste water-pollution problems.

(b) The relative severity of animal waste water-pollution problems caused by the animal feeding operations.

(c) Other criteria set forth under s. Ag 165.02 (2) (d).

(4) **FUNDING CONTRACTS.** No funds may be allocated or released to a county agency under this section except under a written contract between the department and the county agency. The contract shall set forth:

(a) A description of each project within the county for which funds are allocated, including an estimate of total project costs.

(b) The maximum amount of funds which will be made available for cost-shared projects within the county, as determined by the department under this section, and a schedule for the disbursement of funds by the county agency. Moneys which are advanced to counties under these funding contracts shall be deposited in interest bearing accounts. All accrued interest shall be applied to projects which have been identified as being eligible for animal waste management grants.

(c) The respective responsibilities of the department and the county agency for implementing the contract. The county agency which is responsible for implementing the project on behalf of the county shall be identified.

(d) Deadlines for implementing the contract.

(e) Other terms and conditions under which the funds are allocated to the county agency.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; am. (1), (2) (b) 1. to 4., (3) (intro.) and (a), (4) (intro.), (b) and (c), renum. (2) (intro.) to be (2) (a) and am. Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.05 Direct grants by department. (1) Pursuant to s. 92.15 (3m), Stats., the department may make cost-share grants directly to owners or operators of animal feeding operations who have received a notice of discharge or who are required to apply for a Wisconsin pollutant discharge elimination system permit under ch. 147, Stats. The department may make direct cost-share grants under this section whether or not the county in which the animal feeding operation is located has an approved animal waste management plan under s. Ag 165.02 or an approved ordinance under s. Ag 165.03. Direct grants under this section are subject to the provisions of ss. Ag 165.06, 165.07, 165.08 (3) (c) and 165.10. For purposes of a direct grant under this section, the department shall assume the responsibilities of a county agency under ss. Ag 165.06, 165.07, 165.08 (1) (d) and (f), 165.08 (3) (c), and 165.10.

(2) The department may enter into an agreement with a county agency under which the county assumes certain responsibilities of the department under this section. Responsibilities assumed by a county on behalf of the department may include:

(a) Preparation of agreements with owners and operators of animal feeding operations, as provided under s. Ag 165.07.

(b) Certification, under s. Ag 165.08 (1) (f) and (3) (c) 4, that waste storage and treatment facilities and runoff control systems meet the requirements of this chapter.

(c) Establishment and maintenance of an accounting and record keeping system, as provided under ss. Ag 165.08 (3) (c) and 165.09.

(3) The department may determine that the owner or operator of an animal feeding operation identified under sub. (1) is not eligible for a cost-share grant if the department finds that:

(a) The owner or operator initiated a discharge of pollutants for the purpose of obtaining a cost-share grant;

(b) The owner or operator could prevent the discharge of pollutants through improved management practices, at nominal cost to the owner or operator;

(c) The owner or operator could have prevented the discharge of pollutants by complying with an operations and maintenance plan to which the owner or operator has previously agreed; or

(d) No predictable water quality benefits will be achieved by the cost-share grant.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; correction in (2) (b) made pursuant to s. 13.93 (2m) (b) 7, Stats., Register, January, 1985, No. 349; am. (1), (2) (intro.) and (b), cr. (3), Register, July, 1986, No. 366, eff. 7-1-86.

Ag 165.06 Purposes for which funds may be allocated; conditions and limitations. (1) **GENERAL.** Funds allocated to county agencies under s. Ag 165.04 shall be used by the county agencies to finance cost-share grants to individual owners and operators of animal feeding operations. Individual cost-share grants shall be used to construct or repair animal waste treatment or storage facilities, or runoff control systems, needed to meet water quality objectives. Cost-share grants may be applied to engineering design costs or construction costs, or both, to the extent permitted under this section. Individual cost-share grants shall be made under an agreement with the owner or operator, as provided in s. Ag 165.07. Payments may be made only upon certification, by a qualified technician, that the facility or structure has been completed in compliance with the agreement and this chapter.

(2) **COST-SHARE GRANTS; GENERAL REQUIREMENTS AND LIMITATIONS.**
(a) *Cost-effectiveness.* The size of cost-share grants to individual owners and operators of animal feeding operations shall be based on the cost of projects which will have predictable water quality benefits, and which are cost-effective for that purpose in comparison to other measures available to the owner or operator. A determination as to the cost-effectiveness of a proposed project shall be made by the county. In determining the cost-effectiveness of a proposed project, the county agency shall consider the predicted water quality benefits of the project, the cost of the project amortized over its expected useful life, and the practical effects of the project on the animal feeding operation.

(b) *Grant amounts; cost-sharing rates.* The amount paid to an owner or operator of an animal feeding operation under a cost-share grant shall be based on the cost of the proposed project, as determined by the county agency. The county agency shall establish standard cost-sharing rates applicable to animal waste storage facilities, animal waste treatment facilities, and runoff control systems. The rate for cost-share grants provided under this chapter may not exceed 70% of the total cost for the design and construction of a project. If a cost-share grant is made for a project under this chapter, additional cost-share grants from the county agency may not exceed 10% of the total cost incurred for the design and construction of the project. This 10% limitation does not apply to federal cost-share funds distributed through the county. The maximum combined grant from all governmental sources may not exceed \$10,000. This \$10,000 limitation does not apply to any structure, facility or practice, the principal purpose of which is to control or prevent barnyard runoff.

(c) *Engineering design costs; grant limitations.* A portion of a cost-share grant may be used to finance engineering design services needed for the construction or repair of animal waste storage or treatment facilities, or runoff control systems, provided that the engineering design services are provided by a registered professional engineer hired independently by the owner or operator. Cost-share grants may not be used to finance engineering design services provided by the county agency, the United States soil conservation service or other governmental agencies except as provided in s. Ag 165.09. Payments for engineering design services shall be determined by the county agency, based on the reasonable cost of the services, but may not exceed 20% of the total cost-share grant. If a private consulting engineer is used to provide engineering design services, the county agency shall inform the owner or operator of the animal feeding operation that the owner or operator is responsible for that portion of the design cost which is not funded by the cost-share grant. No payment for engineering design services may be made by a county until the county agency has determined that the structure or facility has been installed in compliance with applicable standards and specifications set forth in the technical guide.

(d) *Availability of alternatives; grant denial.* Except as provided in par. (e), cost-share grants may not be used to finance the design or construction of animal waste treatment or storage facilities if, in the absence of the facilities, the waste from the animal feeding operation can feasibly be applied to land, in compliance with standards and specifications number 633 of the technical guide, without causing or aggravating a water quality problem. The feasibility of a land application under this paragraph shall be determined in light of existing topographic, climatological and management factors.

(e) *Cost-share grants for prior existing facilities.* If the waste from an animal feeding operation can feasibly be applied to land as provided in par. (d), the owner or operator may nevertheless receive a cost-share grant to repair or modify existing storage or treatment facilities if all of the following conditions are met:

1. The repair or modification is needed to meet water quality objectives.
2. The facilities are operational except for the components which are in need of repair or modification.
3. The owner or operator has made a substantial investment in the facility which will be effectively lost if the facility is not repaired or modified.

(3) **ANIMAL WASTE STORAGE OR TREATMENT FACILITIES; COST-SHARE GRANTS.** (a) *Costs which may be included.* Cost-share grants for animal waste storage or treatment facilities may include payments for design or construction of the facility, including repair or reconstruction of existing facilities; for permanent fencing needed to protect the facility; and for permanently installed equipment needed to transport animal waste to the facility as part of an animal waste management plan. Payments may not be made for:

1. Portable pumps and other portable equipment.

2. Buildings or modifications to buildings, unless modifications to buildings are essential for installation of an animal waste storage facility.

3. Equipment for spreading animal waste onto land, or incorporating animal waste into land.

(b) *Standards of design, construction and maintenance.* Animal waste storage and treatment facilities shall be of sufficient capacity to store the normal accumulation of animal waste which may be produced by the animal feeding operation over a period of at least 30 days. Facilities shall be designed and constructed in compliance with ch. NR 112, Wis. Adm. Code. Facilities shall also be designed and constructed in compliance with standards and specifications numbers 312, 313, 358, 359, 382 and 425 of the technical guide, or other standards and specifications approved by the department. Facilities shall be maintained for at least 10 years, or until the animal feeding operation is discontinued.

(4) PERMANENT RUNOFF CONTROL STRUCTURES; COST-SHARE GRANTS.

(a) *Costs which may be included.* Cost-share grants for runoff control systems may include payments for structures, facilities, or practices such as:

1. Diversions, gutters, downspouts, collection basins, filter strips, waterways, terraces, outlet structures, conduits, and land shaping needed to manage runoff from the animal feeding operation or runoff from the land application site.

2. Permanent fencing needed to protect the structures.

3. Measures needed to establish perennial grasses, including fertilizer, mineral and mulch materials.

4. Runoff control practices which are necessary to meet identified water quality objectives.

(b) *Standards of design, construction and maintenance.* Runoff control systems shall be designed and constructed in compliance with standards and specifications numbers 350, 362, 382, 393, 412, 558 and 561 of the technical guide or other standards and specifications approved by the department. The structures shall be maintained for at least 10 years, or until the animal feeding operation is discontinued.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; am. (1), (2), (3) (a) (intro.) and 3., (4) (a) (intro.) and 1., (4) (b), cr. (2) (d) and (e), (4) (a) 4., r. (3) (a) 4., r. and recr. (3) (b), Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.07 Agreements with owners and operators of animal feeding operations. The county agency shall enter into an agreement with every owner or operator of an animal feeding operation who receives cost-sharing funds under this chapter. The agreement shall include:

(1) The name and address of the owner or operator applying for cost-sharing funds. If the applicant is an operator other than the owner, the agreement shall include the name of the owner and be signed by the owner.

(2) The specific structures, facilities or practices to be constructed or repaired.

(3) The total estimated costs of design and construction.

(4) The percentage of the total cost to be paid by the state under this chapter.

(5) The percentage of the total cost to be paid from other governmental sources.

(6) Time deadlines for constructing the structures and facilities.

(7) A plan for the operation and maintenance of the structures and facilities.

(8) A procedure by which the agreement may be amended.

(9) A provision by which the owner or operator of the animal feeding operation agrees to comply with the requirements of this chapter, and operate the funded structures, facilities or practices in such a manner as to avoid water quality problems. Animal waste storage and treatment facilities shall be operated so as to prevent spills or leakage from the facility.

(10) A provision whereby the owner or operator agrees to repay the cost-sharing funds if the structures, facilities or practices are not properly maintained or are not operated in a manner so as to avoid water quality problems. Repayment of grant funds shall not be required if a structure, facility or practice is rendered ineffective during the required maintenance period under s. Ag 165.06 due to circumstances beyond the control of the owner or operator of the structure, facility or practice.

(11) A provision whereby the owner or operator agrees to repay the cost-sharing funds in the event of a change in ownership during the required maintenance period under s. Ag 165.06. A person obligated under a cost-sharing agreement is not required to repay cost-share funds under this subsection if the succeeding owner or operator agrees in writing to assume all obligations under the agreement, including the obligations under this subsection and subs. (9) and (10).

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; am. (intro.), (2), (9) to (11), Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.08 Responsibilities of the county. (1) The county agency is responsible for local administration of the animal waste grant program. County agency responsibilities include:

(a) Preparation of county animal waste management plans under s. Ag 165.02.

(b) Adoption and enforcement of ordinances required under s. Ag 165.03.

(c) Designation of a county agency or agencies responsible for program administration, including designation of a lead agency if more than one agency is made responsible for program administration. The department recommends designation of the land conservation committee as the lead agency.

(d) Approval of projects and expenditures under the program, subject to any required approval by the department under this chapter.

(e) Coordination of the program with local, state and federal cost-sharing programs.

(f) Technical assistance, including:

1. Preparation of agreements with owners and operators of animal feeding operations, as provided under s. Ag 165.07.

2. Certification that waste storage and treatment facilities and runoff control structures meet the requirements of this chapter and the technical standards of the county.

(2) In the exercise of its authority under this chapter, the county agency shall consider accepted agricultural practices, and the costs, needs and technologies of agricultural production. The county agency designated under par. (1) (c) shall refer, for review, all county animal waste management plans and ordinances prepared under this chapter to the county committee on agriculture and extension education created under s. 59.87 (2), Stats.

(3) The county agency shall establish and maintain a complete accounting and record keeping system which shall include:

(a) Separate accounts of all funds allocated to the county agency by the department under s. Ag 165.04, including a record of all receipts and expenditures, and the current account balance.

(b) Complete accounting records showing all animal waste grant funds received or administered by the county, from whatever source; all expenditures made or committed by the county; and all account balances.

(c) A complete file prepared for each agreement under which funds are paid or committed to an owner or operator of an animal feeding operation. The file shall include:

1. The application by the owner or operator of an animal feeding operation for cost-sharing funds or technical assistance.

2. A record of approval, if the agreement is approved by the county. A record of approval shall be filed before the agreement is signed.

3. The original copy of the agreement, signed by the parties.

4. A record of technical referral, and certification by a qualified technician that the facility or structure has been completed according to the agreement. Certification shall be filed prior to payment.

5. Authorization by the county agency for the release of cost-sharing payments. A record of the authorization shall be filed prior to payment.

(4) The county agency shall submit an annual accounting of expenditures to the department by June 30 of each year, and shall submit a final accounting of individual project expenditures to the department within 60 days after the project completion date.

(5) The county agency may contract for the performance of specified administrative and technical tasks, subject to approval by the county board.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; am. (1) (intro.) and (a), (2), (3) (intro.) and (a), (3) (c) 5., (4) and (5), Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.09 Technical assistance and program administration; reimbursement to counties. (1) The department may reimburse a county agency for technical assistance and program administration services provided by or

for the county agency if the services are necessary to implement cost-share projects approved by the department. A county agency's total request for reimbursement on any single project may not exceed 10% of the cost-share payment for that project. Reimbursement requests shall be made on forms provided by the department. Counties may reimburse other governmental agencies for services provided to them for implementing cost-share grants.

(2) A county agency may be reimbursed for the following technical assistance services pursuant to sub. (1):

- (a) Inventory and evaluation.
- (b) Surveys and plottings.
- (c) Predesign, design, layouts, and certification.
- (d) Preconstruction or postconstruction design tests.
- (e) Other services approved by the department.

(3) A county agency may be reimbursed for the following program administration services pursuant to sub. (1):

- (a) Maintaining project files.
- (b) Analyzing alternative practices for cost-effectiveness.
- (c) Preparing cost-sharing agreements.
- (d) Processing requests for cost-share grant disbursement.
- (e) Reviewing projects with landowners and contractors.
- (f) Coordinating activities with other government agencies.
- (g) Other services approved by the department.

History: Cr. Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.10 Records and audits. (1) The county agency shall maintain records and documents for the duration of the maintenance period required for the structure, facility or practice under s. Ag 165.06.

(2) The department may conduct such fiscal and program audits as it deems necessary, including interim and final audits on funded projects. Audits may include a physical inspection of structures, facilities or practices financed with state funds, as necessary to determine consistency with program goals and standards.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; renum. from Ag 165.09 and am. Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.11 Interdepartmental coordination. The department shall coordinate the animal waste grant program under this chapter with related programs and rules of the Wisconsin department of natural resources.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; renum. from Ag 165.10 and am. Register, June, 1986, No. 366, eff. 7-1-86.

Ag 165.12 Authority. This chapter is adopted under authority of s. 92.15, Stats.

History: Cr. Register, September, 1984, No. 345, eff. 10-1-84; renum. from Ag 165.11, Register, June, 1986, No. 366, eff. 7-1-86.

Register, June, 1986, No. 366