

Chapter ATCP 45

SUSTAINABLE AGRICULTURE DEMONSTRATION PROGRAM

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Note: Chapter Ag 159 was renumbered ch. ATCP 45 under s. 13.93 (2m) (b) 1, Stats., Register, April, 1993, No. 448.

**ATCP 45.01 Purpose.** This chapter establishes requirements for administration of the sustainable agriculture demonstration grant program by the department.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**ATCP 45.02 Definitions.** As used in this chapter:

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

(2) "Individual" means a natural person.

(3) "Organization" means any public or private organization, whether for-profit or not-for-profit, including any political subdivision of the state of Wisconsin.

(4) "Sustainable agriculture" means an agricultural method, practice, or system which attempts to use and maintain renewable local resources and minimize the need for energy inputs and other purchased, nonrenewable inputs. Local resources may include physical, biological and social resources.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**ATCP 45.03 Grant requirements. (1) ALLOWABLE PURPOSE.** The department may award grants to individuals or organizations to fund demonstration projects that will encourage the use of sustainable agriculture.

(2) **PROJECT LIMITATIONS.** The department may not award a grant to a project under this chapter unless all of the following conditions are met:

(a) The grant is for a project conducted in this state.

(b) The project timetable schedules completion of the project within 3 years from the scheduled beginning of the project.

(c) At least 25% of the total project funds awarded by the department are to pay for direct costs of public information activities.

(d) The total grant award does not exceed \$50,000 except that the department may award a grant in excess of \$50,000 if all of the following conditions are met:

1. All grant applications have been reviewed by the department and all projects of \$50,000 or less which the department determines should be granted awards have been funded.

2. Funding is available which is not restricted to grants of \$50,000 or less.

3. At least 50% of the project cost over \$50,000 is paid by funds that are not related to the grant.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**ATCP 45.04 Use of grant funds. (1) PERMITTED USES OF GRANT FUNDS.** Permitted uses for grant funds include the following:

(a) Operating expenses such as salaries and wages, consulting and testing services, travel, supplies and materials, and public information.

(b) Real estate rental payments.

(c) Equipment leases.

(d) Purchase of small or low cost equipment items which are normally depreciated in one year.

(e) An amount equivalent to the annual depreciation in each year of the grant which would be allowed under generally accepted accounting principles for acquisitions of large capital equipment having a depreciation schedule longer than 3 years.

(2) **PROHIBITED USES OF GRANT FUNDS.** Grant funds may not be used for any of the following:

(a) Except as provided in sub. (1) (d), capital acquisitions by the grant recipient such as the purchase of land, buildings or machinery.

(b) Administrative overhead expense.

(c) Funding for business start-up costs or expansion.

(d) Business loan payments.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**ATCP 45.05 Application procedures. (1) APPLICATION PERIODS.** An individual or organization may file an application for a sustainable agriculture demonstration grant between July 1 and November 15 of each calendar year. Additional application periods may be scheduled at other times at the discretion of the department. The department shall give notice of each annual and each additional application period by issuing a written request for proposals. The department shall issue a press release announcing the request for proposals, and shall mail a copy of the request to all of the following persons:

(a) Every person on its program mailing list.

(b) Every county agriculture extension office.

(c) Every vocational, technical and adult education district.

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(d) The department of public instruction.

**(2) APPLICATION FORMAT.** To apply for a sustainable agriculture demonstration grant, an applicant shall submit a written proposal to the department. The required form of proposal and all other application requirements and procedures shall be prescribed by the department in its request for proposals under sub. (1).

Note: A request for proposals may be obtained from the DATCP Sustainable Agriculture Program, Agricultural Resource Management Division, P.O. Box 7883, Madison, Wisconsin 53707-7883.

**(3) PROPOSAL REQUIREMENTS.** In addition to any other requirements prescribed by the department in its request for proposal, a proposal for a sustainable agriculture demonstration grant shall include all of the following:

(a) A cover page which includes:

1. Name, address and telephone number of the applicant.
2. Title or brief description of the project.
3. Amount of funding requested.
4. Duration of the proposed project.
5. Name and address of the principal contact person.

(b) A description of the sustainable agriculture to be demonstrated, showing how it will maintain or enhance profitability, conserve energy and benefit the environment.

(c) A project summary describing the approach to be used in demonstrating and promoting the sustainable agriculture.

(d) A work plan which identifies project tasks, a timetable for completing the tasks, and the persons responsible for completing the tasks.

(e) Names, addresses, occupations and project-related qualifications of key personnel responsible for carrying out the proposed project.

(f) A budget sheet containing line items for project costs by expenditure category, including facilities and equipment, consulting services, and personnel costs, subdivided by number and type of employees and hourly wage.

**(3) ADDITIONAL INFORMATION.** After a proposal is received by the department, the department may require the applicant to provide additional information regarding the proposal which the department deems necessary for its review.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**ATCP 45.06 Application review and award. (1) REVIEW PERIOD.** Within 90 days after the close of each application period, the department shall make its grant award decisions.

**(2) CONSULTANT REVIEW.** The department shall review and rank project proposals on a preliminary basis, based on the criteria under sub. (4). The department may seek recommendations from persons who have specialized knowledge, experience and education in matters related to sustainable agriculture, and may ask those persons to re-

view and rank applications based on the criteria listed in sub. (4).

**(3) ADVISORY COUNCIL REVIEW.** The department shall appoint up to 12 individuals, none of whom are employees of the department, to serve as members of a sustainable agriculture advisory council. After the department has compiled its preliminary ranking under sub. (2), the advisory council shall review either a number of the highest ranked proposals which is twice the number of projects that could be funded by available funds if every project required \$50,000 in funds, or all of the ranked proposals, whichever number is less. The advisory council shall recommend to the department those applications which should be awarded grants based on its application of the criteria listed in sub. (4).

**(4) AWARD CRITERIA.** The department shall award grants for sustainable agriculture demonstration projects after considering the recommendations of the sustainable agriculture advisory council and reviewing the grant applications. The department shall consider all of the following criteria in its review of grant applications:

(a) The feasibility and adequacy of the project plan.

(b) The effectiveness of the project in demonstrating and publicizing the sustainable agriculture.

(c) The extent to which the sustainable agriculture can maximize direct or indirect energy savings or production.

(d) The extent to which the sustainable agriculture demonstrated by the project may produce a positive effect on the environment.

(e) The extent to which the sustainable agriculture may increase the overall profitability of an individual farm or other agricultural operation.

(f) The number of farms or other agricultural operations that would be able to adopt the sustainable agriculture demonstrated by the project, and the extent to which the sustainable agriculture would be immediately available to these operations.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**ATCP 45.07 Contracts. (1) EXECUTED CONTRACT REQUIRED.** A grant recipient shall enter into a contract with the department before any grant money is distributed to the recipient. No funding commitment is final until the contract is signed by the secretary of the department and the recipient.

**(2) CONTRACT TERMS AND CONDITIONS.** The contract shall provide terms and conditions which reasonably ensure that the recipient shall carry out the recipient's obligation with respect to the grant. Terms and conditions shall include all of the following:

(a) The recipient shall use the grant funds as provided in s. ATCP 45.04.

(b) The department may void the contract and seek return of any funds released under the contract for failure by the recipient to perform the recipient's obligations under the contract.

(c) Amendments to a contract may be made by written mutual consent of the parties.

(d) Grant payments shall be made in installments according to a payment schedule incorporated in the contract and shall be conditioned upon the receipt of progress reports under s. ATCP 45.08.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.

**ATCP 45.08 Reporting.** Every contract under s. ATCP 45.07 shall set forth a schedule of progress reports and

payments. A grant recipient shall provide the department with periodic written progress reports throughout the life of the contract. All financial and program reports become the property of the department and are open to public inspection.

History: Cr. Register, June, 1991, No. 426, eff. 7-1-91.