



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-1007/P4  
MCP:amn&skw

DOA:.....Potts, BB0357 - Regenerative agricultural practices

**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

**AN ACT ...; relating to:** the budget.

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*Analysis by the Legislative Reference Bureau*

**AGRICULTURE**

***Regenerative agriculture practices grant program***

The bill requires DATCP to award grants to provide cost-sharing for conducting soil tests and other carbon sequestration analyses; updating nutrient management software; studying the feasibility of a statewide carbon market; assessing the market value of carbon sequestration; and, for agricultural producers, implementing regenerative agricultural practices. DATCP may not allocate more than \$370,000 for these grants in any single fiscal year.

In conjunction with providing these grants, DATCP must also evaluate how accurate and efficient existing tools are at calculating carbon credits generated by producer-led watershed protection grant recipients; identify opportunities and facilitate groups of agricultural producers to work together to generate carbon credits; provide technical assistance to farmers and agricultural agencies and professionals regarding carbon credit generation to help them choose whether to collaborate with carbon credit project developers in the future; study the feasibility of a statewide carbon market; and assess the market value of carbon sequestration.

***Appropriation limit for the producer-led watershed protection grant program***

DATCP administers the producer-led watershed protection grant program, which provides grants to groups of farmers in the same watershed to implement

nonpoint source pollution abatement activities. Under current law, DATCP may not allocate more than \$750,000 per fiscal year for this program. The bill increases that maximum amount to \$1,000,000.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 20.115 (7) (qf) of the statutes is amended to read:

20.115 (7) (qf) *Soil and water management; aids.* From the environmental fund, the amounts in the schedule for cost-sharing grants and contracts under the soil and water resource management program under s. 92.14, but not for the support of local land conservation personnel, ~~and~~; for producer-led watershed protection grants under s. 93.59; for regenerative agriculture grants under s. 93.75; and for conservation grants under 93.76. The department shall allocate funds, in an amount that does not exceed ~~\$750,000~~ \$1,000,000 in each fiscal year, for the producer-led watershed protection grants; shall allocate funds, in an amount that does not exceed \$370,000 in each fiscal year, for the regenerative agriculture grants; and shall allocate funds, in an amount that does not exceed \$320,000 in each fiscal year, for the conservation grants.

\*\*\*\*NOTE: This is reconciled s. 20.115 (7) (qf). This SECTION has been affected by drafts with the following LRB numbers: -1002/P3, -1004/P1, and -1007/P3.

**SECTION 2.** 93.75 of the statutes is created to read:

**93.75 Regenerative agriculture practices.** (1) The department shall provide grants from the appropriation under s. 20.115 (7) (qf) to provide cost-sharing for the following purposes:

- (a) Conducting soil tests and other carbon sequestration analyses.
- (b) Updating nutrient management software.

- (c) Studying the feasibility of a statewide carbon market.
- (d) Assessing the market value of carbon sequestration.
- (e) For agricultural producers, implementing regenerative agricultural practices.

(2) In conjunction with grants provided under sub. (1), the department shall do all of the following:

(a) Evaluate the potential of existing tools to accurately and efficiently calculate carbon credits generated by producer-led watershed protection grant recipients under s. 93.59 and document the suitability of various carbon credit calculators for use in this state.

(b) Identify opportunities and facilitate groups of agricultural producers to work together to generate carbon credits.

(c) Provide technical assistance to farmers and agricultural agencies and professionals regarding the processes of carbon credit generation and associated risks of market participation to aid them in choosing to collaborate with carbon credit project developers on a verified project in the future.

(d) Study the feasibility of a statewide carbon market and assess the market value of carbon sequestration.

(3) The department may promulgate rules to administer the program under this section.

**SECTION 9102. Nonstatutory provisions; Agriculture, Trade and Consumer Protection.**

(1) EMERGENCY RULES FOR REGENERATIVE AGRICULTURE PRACTICES GRANT PROGRAM. The department of agriculture, trade and consumer protection may use the procedure under s. 227.24 to promulgate emergency rules relating to the

regenerative agriculture practices grant program under s. 93.75. Notwithstanding s. 227.24 (1) (a) and (3), when promulgating emergency rules under this subsection, the department is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding s. 227.24 (1) (e) 1d. and 1g., for emergency rules promulgated under this subsection, the department is not required to prepare a statement of scope of the rules or to submit the proposed rules in final draft form to the governor for approval.

**(END)**