

Terms and Conditions

Agricultural Service Board Grant Program for 2017 - 2019

Purpose

The purpose of the Agricultural Service Board Grant Program is to support Agricultural Service Boards with the administration of legislative requirements under the *Agricultural Service Board Act* and in the development and delivery of environmental extension programming.

The expected Program outcomes include:

1. Targeted prevention and control of agricultural diseases, pests, weeds and delivery of soil conservation programs.
2. Development of effective agricultural policies and plans that are implemented and address the needs and issues of the municipality related to agricultural practices.
3. Increased awareness, understanding and implementation of environmental agricultural practices and programs with an emphasis on supporting the agriculture industry in meeting social license requirements and climate change leadership initiatives.
4. Development of strong collaborations with Alberta Agriculture and Forestry (AF), other municipalities, governments, agencies etc. to achieve outcomes listed in 1 through 3.

The Program is available to Municipalities within Alberta that satisfy the eligibility requirements in s. 2, and which carry out Legislative Activities and Environmental Activities approved by the Minister.

There are two parts to the Program:

- Part one is a Legislative Funding Stream which supports Legislative Activities. Funding in this stream is allocated based on satisfaction of the eligibility criteria.
- Part two is an Environmental Funding Stream which supports Environmental Activities. There are two types of funding within this stream - Environmental Funding Stream Basic and Environmental Funding Stream Enhanced. Funding for Environmental Funding Stream Basic is allocated based on the satisfaction of the eligibility criteria, and funding for Environmental Funding Stream Enhanced is allocated on a merit basis, subject to satisfaction of the eligibility criteria.

Applicants may apply for the Legislative Funding Stream only, or for the Legislative Funding Stream and one type of funding within the Environmental Funding Stream.

Funding for both streams of the Program is limited and subject to Program funding constraints.

If an Application is approved by the Minister, the Applicant must enter into a grant agreement with the Minister to be eligible to receive funding under the Program. The grant agreement will contain the terms and conditions governing the grant under the Program.

1. Definitions

1. **Definitions:** In this document and in the Program Application Form, the following terms have the following meanings:
 - 1.1. **ASB Act:** means the *Agricultural Service Board Act*.
 - 1.2. **Agricultural Commodity** means a product that comes from the raising of crops and/or animals, such as wheat, corn, barley, peas, canola, oats, cattle, sheep, hogs.
 - 1.3. **Agricultural Fieldman:** means a person appointed pursuant to the *ASB Act* to implement agricultural policies and programs, and to manage the agricultural resources of the Municipality.
 - 1.4. **Applicant:** means a Municipality that submits an Application and meets the eligibility criteria in section 2.1.
 - 1.5. **Application:** means the Program Application Form and all documents required to be submitted pursuant to that form and the Program Terms and Conditions.
 - 1.6. **AF:** means Alberta Agriculture and Forestry.
 - 1.7. **ASB:** means an Agricultural Service Board constituted under the *ASB Act*.
 - 1.8. **Calendar Year:** means January 1st to December 31st.
 - 1.9. **Eligible Capital Expenses:** means the capital expenses listed in section 2.5.2 that may be incurred by an Applicant for a Project.
 - 1.10. **Eligible Expenses:** means Eligible Capital Expenses and Eligible Non-Capital Expenses.
 - 1.11. **Eligible Non-Capital Expenses:** means the non-capital expenses listed in section 2.5.1 that may be incurred by an Applicant for a Project.
 - 1.12. **Environmental Activities** means the activities identified in sections 2.3.2 and 2.3.3.
 - 1.13. **Environmental Funding Stream:** means the Program funding for Environmental Activities.
 - 1.14. **Environmental Funding Stream Basic:** means the Program funding for the Environmental Activities identified in section 2.3.2.
 - 1.15. **Environmental Funding Stream Enhanced:** means the Program funding for the Environmental Activities identified in section 2.3.3.
 - 1.16. **Legislative Activities** means the activities identified in section 2.3.1.
 - 1.17. **Legislative Funding Stream:** means the Program funding for Legislative Activities.
 - 1.18. **Minister:** means the Minister of AF and includes his authorized representative(s).

- 1.19. Municipality:** means a municipality as defined by the *ASB Act*.
- 1.20. Primary Producer:** means an individual or an Alberta registered entity:
- (a) operating in Alberta; and
 - (b) that is responsible for the day-to-day management and work on the farm, including responsibility for input costs for Agricultural Commodities and producing at least \$10,000 worth of commercial agriculture production annually, but does not include a landlord whose only interest in the Agricultural Commodity is that of ownership of the land.
- 1.21. Program:** means the Agricultural Service Board Grant Program for 2017-2019.
- 1.22. Program Application Form:** means the application form for the Program.
- 1.23. Program Terms and Conditions:** means the terms and conditions for the Program set out in this document, as may be amended;
- 1.24. Project:** means the Legislative Activities and, if applicable, the Environmental Activities, as described in the Application submitted by the Applicant and approved by the Minister.
- 1.25. Provincial Crown:** means Her Majesty the Queen in Right of Alberta
- 1.26. Term:** means the time period for the Program, being January 1, 2017 to December 31, 2019.

2. Eligibility

2.1. Eligible Applicants

- (a) To apply to the Program, an Applicant must:
- (i) have formed an ASB pursuant to the *ASB Act*;
 - (ii) be an Alberta Municipality that is required to file audited financial statements to Alberta Municipal Affairs pursuant to Section 278 of the *Municipal Government Act*;
 - (iii) have Primary Producers farming agricultural land that produces Agricultural Commodities within the Municipality; and
 - (iv) have appointed an Agricultural Fieldman pursuant to the *ASB Act*.

2.2. Ineligible Applicants

The following legal entities are not eligible to apply to the Program:

- (a) any legal entity deemed ineligible by the Minister.

2.3. Eligible Activities:(Must be approved by the Minister)

2.3.1. Activities under the Legislative Funding Stream shall include activities under the *ASB Act* and one or more of the following:

- (a) *Weed Control Act*;
- (b) *Agricultural Pests Act*;
- (c) *Soil Conservation Act*;
- (d) *Animal Health Act*.

- 2.3.2 Activities under the Environmental Funding Stream Basic shall include education and extension activities that facilitate the adoption of environmentally responsible practices for crop and livestock production and address environmentally responsible agriculture practices.
- 2.3.3 Activities under the Environmental Funding Stream Enhanced shall include education and extension activities that facilitate the increased awareness, understanding and implementation of environmental agricultural practices and programs related to supporting the agriculture industry in meeting social license requirements and climate change leadership initiatives.
- 2.3.4 In completing a Project under the Program, the Applicant must:
 - (a) comply with all applicable laws and regulations; and
 - (b) obtain all required governmental approvals prior to commencing the Project including those related to public health and safety, labour codes and standards and environmental protection.

2.4. Ineligible Activities

- 2.4.1. Activities ineligible for funding under any of the Program funding streams include:
 - (a) non-agriculture related education and extension activities; and
 - (b) any other activity deemed to be ineligible by the Minister.

2.5. Eligible Expenses

- 2.5.1. Eligible Non-Capital Expenses, as approved by the Minister and stated in the grant agreement, may include:
 - (a) manpower - salary, wages, benefits and professional development of ASB staff;
 - (b) operating expenses for vehicles and equipment;
 - (c) materials and supplies;
 - (d) office operations;
 - (e) contracted services; and
 - (f) extension and education related activities.
- 2.5.2. Eligible Capital Expenses, as approved by the Minister and stated in the grant agreement, may include:
 - (a) in each year of the Term, costs for the purchase or lease of capital items up to a maximum of \$5000 in support of Legislative Activities and, if applicable, up to a maximum of \$5000 in support of Environmental Activities.

2.6. Ineligible Expenses

- 2.6.1. Expenses not eligible for funding under Program include:
- (a) in each year of the Term, costs for the purchase or lease of capital items over \$5000 in support of Legislative Activities and over \$5000 in support of Environmental Activities;
 - (b) Goods and Services Tax (GST);
 - (c) alcohol;
 - (d) expenses funded through any other federal or provincial government grants, programs or projects;
 - (e) speaker fees from any government employee (includes all levels of government);
 - (f) producer contributions of any kind such as land, labour, mileage etc.;
 - (g) livestock arrangements of any kind;
 - (h) expenses incurred by the Applicant outside of the Term; and
 - (i) any other expense deemed by the Minister to be an ineligible expense.

3. Applications

- 3.1.** There is limited funding in the Program.
- 3.2.** Program Application Forms must be received by AF or postmarked on or before January 31, 2017.
- 3.3.** An Applicant may apply for funding from the Legislative Funding Stream only, or for funding from both the Legislative Funding Stream and one of the Environmental Funding Streams (Environmental Funding Stream Basic or Environmental Funding Stream Enhanced).
- 3.4.** Applications submitted must have the Program Application Form fully completed, as follows:
- (a) Legislative Funding Stream Applications must have Schedule A, Part A of the Program Application Form completed.
 - (b) Legislative Funding Stream and Environmental Funding Stream Basic Applications must have Schedule A, Part A and Part B of the Program Application Form completed.
 - (c) Legislative Funding Stream and Environmental Funding Stream Enhanced Applications must have Schedule A, Part A, and Part C of the Program Application Form completed.
- 3.5.** Program Application Forms must be signed by an authorized representative of the Applicant. The Minister may require evidence of authorization.
- 3.6.** Applications must be delivered to:
- ASB Program Coordinator
Agriculture and Forestry
#200, 7000-113 St
Edmonton, AB, T6H 5T6

- 3.7. An Application will not be considered complete unless the Statement of Certification on the Program Application Form is signed, and all required supporting documentation is provided to the satisfaction of the Minister.
- 3.8. Submission of an Application does not entitle the Applicant to grant funding under the Program.
- 3.9. If an Application is approved by the Minister, the Applicant must enter into a grant agreement with the Minister to be eligible to receive funding under the Program. This grant agreement will contain the terms and conditions governing the grant under the Program.
- 3.10. The Minister may, in his sole discretion, reject any Application that is ineligible, inaccurate or incomplete.
- 3.13. If two or more Municipalities intend to work co-operatively on a Project under the Environmental Funding Stream Enhanced, only one Municipality may submit an Application and shall name each of the other Municipalities as a participating municipality. If the Application is approved, the Applicant shall enter into a grant agreement and receive all of the funding on behalf of the Applicant and the participating municipalities, and the Applicant and participating municipalities shall not be eligible for funding under the Environmental Funding Stream Basic.
- 3.14. If an Applicant is unsuccessful in their Application for funding under the Environmental Funding Stream Enhanced, both the Applicant and any participating municipalities named in the Application shall be considered for funding under the Environmental Funding Stream Basic. The Minister shall contact the Applicant and any participating municipalities if any additional information is required for the Applicant or participating municipalities to be considered for funding for Environmental Funding Stream Basic, and the Applicant shall provide this information by the deadline specified by the Minister.

4. Evaluation of Applications

- 4.1. Applications for the Legislative Funding Stream will be considered for approval subject to satisfaction of the eligibility criteria and Program funding constraints.
- 4.2. Applications for the Environmental Funding Stream Basic will be considered for approval subject to satisfaction of the eligibility criteria and Program funding constraints.
- 4.3. Applications for the Environmental Funding Stream Enhanced will be considered for approval subject to satisfaction of the eligibility criteria and Program funding constraints, and evaluation of the Application using the following merit based criteria:
 - 4.3.1 Strength of program plan and environmental impact **(Weighting 50%)**
 - (a) Agricultural and Environmental Situational Statement – Provide the current state of agriculture’s impact on your identified priority watershed

- i. Outline how you determined key priority environmental needs/issues.
 - ii. Information and Extension Needs Assessment – Considering the feedback, informal or formal, from producers, describe the key information and extension needs of your producers.
 - (b) Program goals, strategies, actions and performance measures
 - i. Are the goals SMART: Specific, Measurable, Achievable, Relevant and Time Specific
 - ii. Describe how you will move from the current situation to your goal? This includes the manpower requirements and skill set
 - iii. Do the activities support the goals/strategies?
 - iv. How will you measure success? Consider qualitative and quantitative measures such as attendance numbers, surveys, one-on-one meetings with clients, etc.
 - (c) Innovation - Within your goals, strategies and/or actions you are demonstrating new ways to deliver information or a new way of delivering extension.
 - (d) Environmental Impact - Within your goals, strategies and/or actions you are demonstrating how your program will have an impact on improving the environment.
- 4.3.2 Program History and Continuity **(weighting 20%)**
- (a) What is the value of continuing the program? What do they want to build on in the future based on the success that they have had in the past?
 - (b) List successes from the past three years, for both Environmental Funding Stream programs AND municipally supported environmental programs
 - i. Must report on successes/how goals were achieved if Environmental Funding Stream dollars were received under the 2014-2016 ASB Grant Program
- 4.3.3 Participating Municipalities **(weighting 10%)**
- (a) The extent to which the roles and responsibilities of each participating municipality are clearly identified, and the roles and responsibilities identified.
- 4.3.4 Matching Contributions **(weighting 10%)**
- (a) The extent to which the roles and responsibilities of each contributor are clearly identified, and the roles and responsibilities identified?
- 4.3.5 Agricultural intensity **(weighting 10%)**
- (a) The committee will use the 2011 Agricultural Intensity Index map attached as Appendix 1 to indicate agricultural intensity for an area (map attached). In accordance to the map the following score will be automatically applied:
0.0-0.2 = 1 score

- 0.3-0.4 = 2 score
- 0.5-0.6 = 3 score
- 0.7-0.8 = 4 score
- 0.9-1.0 = 5 score

The Agricultural Intensity Map was based on Census of Agriculture 2011 variables for fertilizer and lime purchases (\$), purchases of pesticides (\$) and manure production (tonnes). Intensities were determined by dividing each variable by the area in square miles of each municipality. This data was then normalized and summed to produce the final Agriculture Intensity Index.

5. Funding Level

- 5.1 All funding provided under the Program is subject to Program funding constraints.
- 5.2 Approved Applicants to the Legislative Funding Stream will receive a grant amount determined by the Minister following review of the applications and subject to Program funding constraints.
- 5.3 Approved Applicants to the Environmental Funding Stream Basic will receive \$15,000 in each year of the Term.
- 5.4 Approved Applicants to the Environmental Funding Stream Enhanced will receive funding amounts that are determined based on the evaluation of the Application using the merit based criteria in s. 4.3.
- 5.5 In the event that provincial funding levels are changed, to the extent that the money available to the Minister to make a grant under the Program is reduced or eliminated, the Minister may, in his sole discretion, cancel or reduce the amount of any grant made under the Program or cancel the Program.

6. Payments

- 6.1. Successful Applicants will be required to enter into a three year term grant agreement with the Provincial Crown prior to any payment being made to the Applicant.
- 6.2. To receive payment under the Program the Applicant must maintain its eligibility for funding under the Program, and be in compliance with the Grant Agreement and the Program Terms and Conditions.
- 6.3. Subject to the terms and conditions of the grant agreement and s. 6.4, the Minister expects to pay the grant as follows:
 - (b) subject to the Applicant having satisfied all obligations under the Agricultural Service Board 2014-2016 Grant Agreement to the satisfaction of the Minister, payment for the 2017 Calendar Year upon execution of the grant agreement;
 - (c) payment for the 2018 Calendar Year following receipt of Status Report 1 to the satisfaction of the Minister; and

- (d) payment for the 2019 Calendar Year following receipt of Status Report 2 to the satisfaction of the Minister.
- 6.4** Each of the payments described in s. 6.3 is subject to the approval of the Minister and to funds being available for the Program. The Minister may, in his sole discretion, cancel, reduce or increase the amount of each payment.
- 6.5** Applicants cannot assign or defer any payment under this Program.
- 6.6** The Applicant shall not return for refund any capital items which the Applicant has purchased using grant funds. The Applicant shall not sell or trade any capital items which the Applicant has purchased using grant funds for at least three years after the end of the Term.

7. Reporting Requirements

- 7.1.** Approved Applicants shall provide the Minister with the following status reports (the “Status Reports”) in writing to the Minister’s satisfaction and in the form specified by the Minister, detailing, for the time period covered by the Status Report:
 - (a) a statement of the Applicant’s ASB income and expenditures for the Calendar Year covered by the Status Report, certified by a financial officer of the Applicant;
 - (b) an annual report highlighting the results of the Schedule “A” activities for the Calendar Year covered by the Status Report;
 - (c) confirmation that the Applicant has filed its annual financial information return, including audited financial statement and auditor’s report, to Municipal Affairs as per section 278 of the Municipal Government Act;
 - (d) the status of the grant proceeds, including all expenditures of the grant proceeds and the amount of grant proceeds currently held by the Applicant;
 - (e) any other grants from any level of government in respect of the Project; and
 - (f) any other information requested by the Minister.

The Status Reports must be submitted between the following dates:

- i. Status Report 1, to be submitted between May 1, 2018 and June 30, 2018 covering the time period from January 1, 2017 to December 31, 2017;
- ii. Status Report 2, to be submitted between May 1, 2019 and June 30, 2019, covering the time period from January 1, 2018 to December 31, 2018; and
- iii. Status Report 3, to be submitted between May 1, 2020 and June 30, 2020, covering the time period from January 1, 2019 to December 31, 2019.

The Minister may require that any Status Reports be reviewed, assessed and reported on by the Applicant’s auditors. Upon request by the Minister, the Applicant shall in a timely manner elaborate on any particular aspect of a Status Report.

- 7.2 The Applicant shall provide the Minister with a final report (the “Final Report”) covering the Term, to the Minister’s satisfaction, to be submitted between May 1, 2020 and June 30, 2020, that includes:
- (a) a statement detailing all expenditures in relation to the Project, the expenditures attributed to the Grant, and the expenditures attributed to other funding sources of the Program, including the Applicant’s cash contribution; and
 - (b) any other information requested by the Minister.

The Minister may require that the Final Report be reviewed, assessed and reported on by the Applicant’s auditors. Upon request by the Minister, the Applicant shall in a timely manner elaborate on any particular aspect of the Final Report.

- 7.3 The Applicant shall provide the Minister with prompt notice of any material events, developments or circumstances arising in relation to the Project.
- 7.4 The Minister may request the Applicant to submit additional reports during the Term which the Applicant shall submit, to the Minister’s satisfaction by the dates specified by the Minister.

8. Verification

- 8.1 The Applicant agrees to provide such information and records as the Minister may require to verify the Applicant’s eligibility for payment from the Program.
- 8.2 The Applicant consents to the Minister releasing any information contained in the Application or related to it and obtained by the Minister in the course of verifying the Application, to any other government department, agency or other body for the purposes of verifying this Application, determining the Applicant’s eligibility for this Program, or both. The Applicant expressly authorizes the Minister to obtain information from any government department agency or other body to verify the contents of this Application and to determine the Applicant’s eligibility for this Program.
- 8.3 The Applicant agrees to make available to the Minister all records, books of account, and income tax returns necessary to audit their Application under this Program. If the Applicant fails to provide records within a reasonable time on reasonable notice, as determined by the Minister, the Applicant may be required to refund any payments received under the Program, as well as forfeit any future payment for the Program.

9. Program Changes

- 9.1. The Minister may change the Program, or revise the Program Terms and Conditions, by posting the revised Program Terms and Conditions on the Agriculture and Forestry website.
- 9.2. An Application shall be administered by, and the grant provided by the Minister to the Applicant shall be governed by, the Program Terms and

Conditions that were posted on the Agriculture and Forestry website as of the date that the Application was received.

10. False or Misleading Information

- 10.1.** An Applicant who provides false or misleading information under the Program foregoes all rights to benefit from the Program.

11. Collection of Information

- 11.1.** The Applicant acknowledges that the information provided to the Minister is subject to both the access and privacy provisions of the Freedom of Information and Protection of Privacy Act (Alberta).

12. Refunds

- 12.1** The Applicant shall immediately refund to the Provincial Crown any payment received under the Program not in accordance with the Program Terms and Conditions and the grant agreement upon notice being provided to the Applicant by the Minister. Failure to make repayment as required by the Minister creates a debt owing to the Provincial Crown that can be set off against any money the Provincial Crown owes to the Applicant.

13. Right of Set-Off

- 13.1** The Applicant agrees that the Minister may set-off against any other grant or amount payable to the Applicant under any programs administered within AF any amounts that become repayable by the Applicant to the Minister under this Program.

14. Debts to Provincial Crown

- 14.1** The Minister has the right to deduct from the Applicant's entitlement any amount due and owing to the Provincial Crown.

15. Representations and Warranties

- 15.1** The Applicant represents and warrants that:
- a) the person signing the Application is duly authorized to make the Application and bind the Applicant to the Program Terms and Conditions;
 - b) no Application has been made for the same activities by any other person, including without limitation, a participating municipality;
 - c) it has made full, true and plain disclosure to the Minister of all facts relating to the ASB and the Project that are material to its Application, including without limitation all sources of funding from other governments;
 - d) it has adequate human resources, experience and skills to carry out the activities described in the Application;

- e) there is presently no action, suit, or proceeding being brought or pending or threatened against or affecting the Applicant which could result in the expropriation of any property of the Applicant, or which could affect its operations, properties, financial condition, or its ability to complete the Project;
- f) it is in compliance with all laws, orders and authorizations which relate to or affect it and is not subject to any order of any court or other tribunal affecting its operations;
- g) it has the power and authority and all necessary licenses and permits to own and operate its properties and carry on its operations, to make the Application, and to carry out the Project; and
- h) the execution of the statement of certification in the Application has been duly and validly authorized by the Applicant in accordance with applicable law, and shall constitute a binding legal obligation of the Applicant.

16. Grant Regulation and Disclosure of Grant Recipient Information

16.1 Payments under this Program are grants subject to the Agriculture and Rural Development Grant Regulation. The Applicant acknowledges that, in addition to complying with these Program Terms and Conditions and the grant agreement, the Applicant must comply with the Agriculture and Rural Development Grant Regulation.

16.2 The Applicant acknowledges that the Minister publicly discloses the following information for all grant recipients: the grant recipient name, the amount of the grant, the program the grant is paid under, and the payment date.

17. Ministerial discretion

17.1 The Minister has the absolute discretion to determine the eligibility of any Applicant and any payment due under this Program. The decision of the Minister is final.

Appendix 1 – Agricultural Intensity Index Map

