Agriculture, Dept. of

Wyoming Meat Processing Expansion Grant Program

Chapter 2: Wyoming Meat Processing Expansion Grant

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Chapter 2

Wyoming Meat Processing Expansion Grant

Emergency rules are in effect no longer than 120 days after filing with the Registrar of Rules

Section 1. Authority. These emergency rules are adopted by the Wyoming Department of Agriculture ("WDA") pursuant to the Governor’s authority to create new programs in 2020 Spec. Sess. SEA 001, Section 2(a).

Section 2. Purpose. These rules are promulgated for the purpose of providing a regulatory framework for the issuance of reimbursements to Wyoming Meat Processors to support Wyoming meat processing facilities and Wyoming citizens to address supply chain disruptions and regional shut-downs of processing facilities as a result of the COVID-19 public health emergency from April 1, 2020 through December 30, 2020.

Section 3. Eligibility Requirements.

(a) Grant applications shall be made for capacity-related improvements since April 1, 2020 through Dec. 30, 2020.

(b) Applicants must be a for-profit or not-for-profit Eligible Business. New Wyoming businesses may also be eligible. Governmental or government-owned entities are not eligible.

(c) Eligible Businesses must hold all relevant licenses to legally conduct business and be licensed by the USDA and/or WDA as Federally inspected, State inspected, or custom exempt slaughter and processing facilities (both existing facilities and new facilities that will be in operation by December 30 are eligible to apply).

(i) Wild Game Processors must be an Eligible Business that holds a commercial food license as issued by the WDA (both existing facilities and new facilities that will be in operation by December 30 are eligible to apply).

(d) The business must not have received more than $350,000 in prior CARES Act funds or other COVID-related local, state and/or federal funding.

(e) Awarded funds may not be used to duplicate any expenses paid for with any previous local, state or federal Coronavirus relief funding programs (e.g., CARES, CFAP, PPP, etc.). Other Coronavirus relief monies awarded to any entity must be disclosed during application and may be deducted from the overall grant amount.

(f) Processors must provide slaughter and processing services at a reduced cost to livestock producers who can demonstrate need (e.g., volume discounts, reduced storage fees, etc.) as set out by the Department of Agriculture.
(i) Costs associated with discounts may be reimbursed through a separate application on a form provided by the Department of Agriculture. Reimbursement cannot exceed $50,000 per entity. Discounts can only be applied to services rendered for external customers not associated with the processor.

Section 4. Eligible Expenses.

(a) The following are eligible expenses for grant reimbursement as long as they are necessary expenses to continue or increase processing capacity due to the COVID-19 public health emergency:

(i) Capital improvements to expand capacity (must be in place and operational by December 30, 2020);

(ii) Rental of buildings, facilities and/or equipment necessary to expand capacity or facilitate social distancing (expenses may only be covered up to and until December 30, 2020);

(iii) Technology allowing for increased capacity or business resilience;

(iv) Facility reconfiguration to meet social distancing guidelines;

(v) Costs associated with:

   (i) COVID-19 sanitation and worker safety supplies,

   (ii) Employer-provided COVID-19 testing, and

   (iii) Increased inspections, including overtime for inspectors,

(vi) Additional wages and hazard pay necessary due to COVID-19;

(vii) Livestock intake and storage equipment, including necessary feeding;

(viii) Packaging and handling equipment;

(ix) Processing and manufacturing equipment;

(x) Upgrades to utilities;

(xi) Warehouse equipment;

(xii) Water treatment/management equipment;

(xiii) Food storage equipment, including cold storage units; and
(xiv) Costs associated with transportation of live animals to processors and/or products (e.g., cuts of meat) to retailers;

(b) Individual awards cannot exceed $500,000 per entity;

(c) Any equipment purchased must be in place and operational by December 30, 2020 and cannot be resold or moved out of the state prior to January 1, 2022. Grantee may be required to repay the full amount of any award for equipment that is resold or removed from the State in violation of this subpart.

(d) Grant funds cannot make up more than 50% of total costs involved with purchases.

(e) Other expenses upon approval by the Governor.

Section 5. Application Process.

(a) Grants shall be prioritized based on the following criteria:

(i) The impact from the COVID-19 crisis on the applicant’s business;

(ii) Whether the project will increase capacity and infrastructure for meat processing and/or livestock slaughter in Wyoming from April 1, 2020 to December 30, 2020;

(iii) The demonstrated benefit of the requested expense to the business and/or related industries;

(iv) Whether the project will impact the resiliency and food security of the meat supply in Wyoming;

(v) Whether the proposal presents a reasonable timeline for implementation;

(vi) Whether the budget is in alignment with the proposal and program goals; and

(vii) Whether the proposal will result in more meat entering the food supply chain by December 30, 2020.

Section 6. Application.

(a) The WDA shall provide a “Wyoming Meat Processing Expansion Grant” application online requiring relevant information for funding decisions.

(b) Each Applicant shall file its application for “Wyoming Meat Processing Expansion Grant” funds with the WDA online at a website provided by the WDA.
(c) Applicants must report the amount of federal loans, grants, or aid provided for COVID-19 related purposes, including from the CARES Act, or other similarly purposed federal act, including funds from the Wyoming Community Development Authority funded by the CARES Act for which the applicant:

(i) Believes they are eligible;

(ii) Has applied; or

(iii) Has received.

Section 7. Amount of Award.

(a) The amount of award is the amount to reimburse the business for the cost of starting a licensed meat processing enterprise, expanding meat processing or costs incurred to continue meat processing related to the COVID-19 public health emergency.

(b) Costs must have occurred after April 1, 2020;

(c) In no event shall an Applicant’s award exceed five hundred thousand dollars ($500,000.00).

Section 8. Review and Recommendation.

(a) Applications are received on a rolling basis until funds have been expended and will be reviewed in the following manner:

(i) WDA staff reviews to ensure accuracy, eligibility, and completeness.

(ii) Each Application will be assigned a unique identifying number and be given prioritization, if applicable, according to Section 5(a) of this Chapter;

(iii) Monies will be expended on a first come, first served basis, and will be awarded with Preference as determined by WDA.

(iv) Monies will be disbursed either via electronic funds transfer or by paper check from the Wyoming State Auditor’s Office;

Section 9. Certification. Applicants shall certify that:

(a) The statements contained in the application are true, complete and accurate to the best of applicant’s knowledge;

(b) The funds will only be used for purposes allowed under the program; and

(c) The funds are requested to reimburse costs of meat processing plant expansion.
(d) Applicant understands and acknowledges that failure to comply with these terms and certifications may result in the WDA requiring a total or partial refund of the grant funds.

Section 10. Program Administration and Audit. WDA staff may conduct and contract for random audits of eligible businesses receiving awards under this section to ensure awarded funds are expended in compliance with state and federal law. By accepting an award under this Chapter, the Applicant agrees to assist and provide the information requested by the auditors.