# **VALUE-ADDED PRODUCER GRANT PROGRAM (VAPG)**

The VAPG is an annually funded program setup to assist independent agricultural producers to enter into value-added activities. Ten percent of available funds are reserved to fund applications submitted by Beginning Farmers or Ranchers and Socially Disadvantaged Farmers or Ranchers as defined at 7 U.S.C. 1991(a) and 2003 (e). An additional ten percent of available funds are reserved to fund Mid-Tier Value Chain projects. The primary objective of this grant program is to help independent agricultural producers develop strategies to create marketing opportunities and to help develop business plans for viable marketing opportunities regarding production of bio-based products from agricultural commodities. USDA Rural Development is encouraging projects that highlight innovative uses of agricultural products.

#### WHO IS ELIGIBLE TO APPLY FOR A GRANT?

Applicants must be an Independent Producer, Agricultural Producer Group, Farmer or Rancher Cooperative, or Majority- Controlled Producer- Based Business Venture. All must be producers or harvesters of agricultural commodities or products, including aquaculture, fish harvesting, and woodlot enterprises. Applicants other than Independent Producers must limit their projects to emerging markets (markets that the applicant has not traditionally supplied).

- □ Independent producers of agricultural commodities This category includes individual farmers, loggers, fishermen, producer owned corporations, LLCs, partnerships or LLPs, and steering committees composed of independent agricultural producers in the process of organizing an association to operate a value-added venture.
- Agricultural producer groups Any organization that represents independent producers such as a producer trade association or a state or national commodity group. A majority of the membership and board of directors must be independent producers.
- □ Farmer and rancher cooperatives Any duly recognized farmer or rancher-owned cooperative from which benefits are derived and distributed equally on the basis of use by each of the owners.
- □ Majority owned producer-based business ventures Any corporation, LLC, LLP or other type of business structure in which independent producers have more than 50% of the ownership and control of the entity.

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If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint\_filing\_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

#### WHAT ARE VALUE-ADDED ACTIVITIES?

Grants must be used to promote activities that will improve the customer base for the commodity or product and allow the producer of the commodity or product to keep a greater portion of the revenue derived from value-added activities. These activities include:

- □ Changing the physical state of the product such as processing milk into cheese.
- Producing a product in a manner that enhances its value, as demonstrated in a business plan.
   An example is organic production.
- Physical segregation of an agricultural commodity or product in a manner that results in the enhancement of value. An example is genetically-modified corn and non-genetically modified corn produced on the same farm, but physically separated so that no cross-pollination occurs.
- □ Using any agricultural product or commodity to produce renewable energy on a farm or ranch. On-farm generation of energy from wind, solar, geothermal or hydro sources are not eligible.
- Aggregation and marketing of locally-produced agricultural food products. A locally-produced agricultural food product is raised, produced, and marketed within 400 miles of the farm that produced the commodity from which the food product came from or within the same state as the farm. An example is ice cream sold in local supermarkets that are within 400 miles of the dairy farm that produced the milk from which the ice cream was made.

#### WHAT CAN GRANT FUNDS BE USED FOR? WHAT SIZE GRANTS ARE AVAILABLE?

There are two kinds of grants. Applicants may apply for either a planning grant or a working capital grant. Applicants may request up to \$75,000 for a planning grant, or \$200,000 for a working capital grant. Applicants must indicate on their application whether they are applying for General Funds or Reserve Funds.

#### **Planning Grants:**

Applicants who have not completed the required planning activities can request funds to assess the feasibility of a potential value-added venture, develop business-operating plans, develop marketing plans, and obtain legal advice and assistance related to the proposed venture. Grant funds may be used to hire planners, lawyers, accountants, or other qualified consultants to complete the planning activities and related expenses. Applicants must provide at least equal matching funds in confirmed cash and/or in-kind contributions. Matching funds cannot come from other federal grants.

### **Working Capital Grants:**

Applicants who have completed their planning activities, including feasibility studies, business plans & financial projections, can apply for a working capital grant. The funds can be used to pay for legal expenses of organizing the venture, design an accounting system, implement a marketing program, or pay operating costs (such as salaries, supplies and raw product costs) of the value-added enterprise. The applicant must provide matching funds at least equal to the grant amount in either cash or other confirmed funding commitments. This can include in-kind contributions, such as agricultural products grown by the applicant that are used for the value-added activity. Matching funds cannot come from other federal grants.

#### WHAT CAN GRANT FUNDS NOT BE USED FOR?

Grant and matching funds cannot be used to:

- Plan, build, buy, repair or rehabilitate a building, or buy land
- Purchase, rent or install fixed equipment, including processing equipment
- Prepare the grant application
- Pay expenses not directly related to the value-added venture
- Fund political or lobbying activities
- Pay project costs incurred prior to receiving a grant award and signing a grant agreement
- Pay any costs of production of any commodity or product to which value will be added
- Fund research and development
- Pay for any goods or services provided by a person or entity who has a Conflict of Interest

#### **HOW WILL APPLICATIONS BE SELECTED FOR FUNDING?**

This is a very competitive nationwide program: funding requests exceed available funding every year. All complete and eligible applications received by the deadline will be evaluated according to scoring criteria published in the Notice of Funding Availability (NOFA). Each application must discuss in detail how the proposed venture meets the scoring criteria. It is critical that the instructions in the NOFA be followed very closely, and that all requested information is provided.

#### **HOW DO I APPLY FOR A GRANT?**

The NOFA and application materials are available at this web address:

http://www.rurdev.usda.gov/BCP VAPG.html

The NOFA contains detailed information on how to prepare an application. Electronic or paper copies of the NOFA may be obtained by contacting Scott Collins, Thomas Hauryski, or Gary Pereira using the contact information listed below, or from any USDA Service Center with a USDA Rural Development office.

#### ARE APPLICATION FORMS AVAILABLE?

There is no application form as such. Applicants must fill out several required forms as part of their complete application, but the body of the application is a narrative that responds to a series of information requests explained in the NOFA. Required information includes a table of contents, an executive summary, a discussion of how the applicant meets eligibility requirements, a detailed project narrative consisting of information called for in the NOFA, financial information relating to your farm business and the projected effects upon the business of the value-added enterprise, and more. Addressing each request for information clearly and directly is necessary to ensure that your application is complete and eligible for consideration. The website listed above includes an extensive application guide that will help applicants provide all necessary information in the requested format.

#### WHEN CAN I SUBMIT AN APPLICATION?

Please refer to the NOFA for details.

#### **UPDATES**

- In kind match for both planning and working capital grants is capped at 25% of the total project cost
- Medium-sized farm that is structured as a family farm: To receive priority points, the maximum average gross sales of commodities in the previous three years increased from \$750,000 to \$1,000,000. This change allows more family farms to receive priority points in the competition for funding
- Working capital applications requesting less than \$50,000 do not need to submit a feasibility study or business plan
- Independent producers applying for a market expansion working capital grant above \$50,000 for an existing value-added product that they currently own a produce for at least two years do not need to submit a feasibility study
- Priority points added for veteran farmers/ranchers.

#### IS ASSISTANCE AVAILABLE IN COMPLETING APPLICATIONS?

USDA cannot complete your application for you, and we cannot offer an opinion of the merits of your proposed project or the quality of your application. However, we can discuss your proposed project, answer your questions, and review the application requirements with you so that you have a better understanding of what is needed to submit a complete and eligible application.

#### Assistant to the State Director

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# USDA RURAL DEVELOPMENT BUSINESS & INDUSTRY LOAN GUARANTEES

#### INTRODUCTION

Business and Industry loan guarantees are provided by USDA Rural Development to help local lenders provide credit needed for expansion and preservation of jobs in rural communities. The guarantee allows lenders to make larger loans, provide better rates and terms, and bring additional capital into the community through sale of the guaranteed portion of the loan.

Rural Development is a mission area of the U.S. Department of Agriculture that includes Rural Business-Cooperative Programs, Community Programs, and Rural Housing Programs. USDA Rural Development offices are located at some USDA Service Centers and deliver programs to improve the quality of life and create economic development in rural communities.

#### **RURAL AREA DEFINED**

The larger rural communities often provide a source of jobs for smaller nearby towns, so USDA Rural Development has expanded its traditional lending area to include cities of up to 50,000 populations. Priority is still given to towns of less than 25,000 people. Cities of 50,000 or more people, suburbs, and urbanizing areas that surround such cities are ineligible areas. You can check via zip code at this web site for eligibility.

http://eligibility.sc.egov.usda.gov/eligibility/welcomeAction.do.

#### **PRIORITIES**

In selecting projects for processing USDA Rural Development will give priority to the more rural and economically distressed communities. Proposals that will save or create a significant number of jobs in relation to the size of the loan will receive a higher priority. Rural Development has set-aside guarantee authority to be used for cooperative development. An agricultural business is not eligible unless it is part of a larger business that is also processing agricultural products.

#### **GUARANTEE LIMITS**

USDA Rural Development will guarantee a maximum of 80% of loans up to \$5,000,000 and 70% of loans over \$5,000,000. The guarantee applies to principal, accrued interest and approved protective advances. The guarantee does not cover interest on interest, late fees, or default rates of interest that exceed the note rate. The lender must liquidate collateral and guarantees before requesting a final settlement with USDA Rural Development.

#### **GUARANTEE FEES**

Rural Development charges a one time guarantee fee which is payable at the time the guarantee is delivered. The fee is charged to the lender, but may be passed onto the applicant. The current fee is 3% of the guaranteed portion of the loan. USDA Rural Development will consider reducing the fee to 2% for certain high priority applications.

#### ANNUAL RENEWAL FEE

Rural Development charges an annual renewal fee. It is paid once a year by the Lender and is required to maintain the enforceability of the guarantee as to the Lender. The rate of the annual renewal fee is established by Rural Development in an annual notice published in the Federal Register, multiplied by the outstanding principal loan balance as of December 31 of each year, multiplied by the percent of guarantee. The rate is the rate in effect at the time the loan is approved and will remain in effect for the term of the loan.

#### LOAN SIZE

There is no minimum loan size; the maximum loan size that will be considered is generally \$10 million. USDA Rural Development encourages applicants to also apply to the Small Business Administration (SBA) if the type of assistance needed is available from SBA.

#### **APPLICANTS**

The Applicant can be an individual, a partnership, corporation, cooperative, trust or other legal entity, or an Indian Tribe. Individuals and a majority of the owners of other entities must be U.S. citizens or persons permanent legal residents in the U.S.

#### **LENDERS**

The lender must be a state or federally chartered bank, Savings and Loan Association, mortgage company that is part of a bank holding company or insurance company regulated by the National Association of Insurance Commissioners. The Federal Land Banks, Production Credit Associations and Bank for Cooperatives are also eligible to be lenders. Other commercial lenders can apply to be approved as lenders.

#### **QUALITY LOANS**

The Business and Industry program at USDA Rural Development is unique because there is no test for credit

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required. The applicant does not have to show that credit is not available elsewhere at reasonable rates and terms. USDA Rural Development is looking for quality loans that will support a stable employment source. Unprofitable, undercapitalized, and poorly managed businesses do not provide this stable employment source. The factors that USDA Rural Development looks for in determining loan quality include:

**Equity** - Tangible balance sheet equity of 10% or more of tangible assets is required at the time the loan closes. Larger equity positions of 20 to 25% are required for new businesses or where risk factors are presented.

<u>Profitability</u> - The strongest applications are those that can show at least three years of profitability and cash flow adequate to service the debt. Other applicants will need to demonstrate repayment ability based on realistic projections supported by detailed assumptions used in preparing the projections. USDA Rural Development may require feasibility studies done by recognized independent consultants to verify the projections.

<u>Management -</u> Management must demonstrate experience in the industry and competence in production, marketing, finance, and personnel management.

<u>Collateral</u> - All collateral must secure the entire loan with no separate collateral for the unguaranteed portion of the loan. Collateral should include hard-asset collateral such as land, buildings, machinery and equipment but can also include accounts receivable, inventory and other items of value. Lenders will discount collateral according to sound lending principals.

<u>Guarantees</u> - Personal guarantees are required from owners, major stockholders or partners unless the stock is so widely held that no one individual can exercise control, or if the business is financially strong, has a good earnings history and abundant collateral is available. Corporate guarantees are required of parent, subsidiary or affiliated companies unless legally restricted or prohibited by existing contractual obligations.

#### **ELIGIBLE LOAN PURPOSES**

There is no requirement that the business be related to agriculture. Many types of businesses including manufacturing, retail and wholesale trade, services and processing are eligible. USDA Rural Development does expect that the number of jobs supported will be in relationship to the amount of the loan request.

Purposes for which the loans can be used include:

- Business and industrial acquisitions
- Purchase of land, machinery and equipment
- Construction, enlargement or modernization
- Pollution control or abatement
- Working capital
- Refinancing when it is necessary to save jobs
- Eligible fees and costs

#### **INELIGIBLE LOAN PURPOSES**

USDA Rural Development B&I loans cannot be used to:

- Relocate jobs or to expand a business where there is already an excess of supply of the goods or services
- Pay any distribution to an owner or beneficiary who will continue in the business.
- Transfer the ownership of a business unless the transfer is necessary to keep the business from closing or will expand job opportunities.
- Finance charitable, religious or fraternal organizations.
- Finance agricultural production unless the business is also processing agricultural products.

#### **INTEREST RATES**

The loan guarantee provides additional assurance of repayment to the lender but the loan commitment is between the applicant and the lender. Interest rates will be negotiated between the applicant and lender and are not subsidized by USDA Rural Development. Rates may be fixed or variable. In determining if the rates are reasonable, USDA Rural Development will take into consideration the rate at which guaranteed loans are being sold in the secondary market.

#### **REPAYMENT TERMS**

Repayment terms are also set by the lender within maximum terms allowed by USDA Rural Development. The maximum terms are:

- 30 years for real estate
- 15 years or usable life for equipment
- 7 years for working capital

All loans must have a fixed repayment schedule. Lines of credit and revolving loans are not eligible.

#### PRE APPLICATIONS

Applications are filed with the lender who then forwards the application to USDA Rural Development requesting the guarantee. Application forms are available from USDA Rural Development.

Applicants or lenders may also file a pre application requesting a determination of eligibility from Rural Development. If it appears that the project is eligible and loan guarantee authority is available, then applicants will be encouraged to file a complete application. A guide for preparing pre applications is enclosed in this package. USDA Rural Development will respond promptly to the pre application and may request a meeting or a visit to the business.

#### RURAL DEVELOPMENT REVIEW

Once an application is filed with USDA Rural Development, the review in the USDA Rural Development State and National Office will take approximately 30 days. If the guarantee is approved, USDA Rural Development will issue a conditional commitment to the lender.

#### OTHER REQUIREMENTS

Information will be required by USDA Rural Development to comply with various laws and requirements. Environmental reviews may be required and the applicant will be required to supply USDA Rural Development with the information required to complete the review. Projects must comply with flood plain and wetland restrictions, Clean Air Act, Water Pollution Control Act, Historic Preservation and Equal Opportunity requirements. Borrowers will not be discriminated upon the basis of race, national origin, gender, religion, disability, political belief, sexual orientation, marital or family status, or age. All buildings that are financed with guaranteed loans that are available to public access must comply with the requirements of the Americans with Disabilities Act.

USDA Rural Development will also consider State development strategies as identified through the intergovernmental consultation process.

This summary of the Business & Industry program provides general information and highlights about the program. It is not intended to include all requirements and regulations. For complete information, obtain copies of RD Instructions 4279-A and 4279-B which are available from Rural Development.

#### INTERGOVERNMENTAL REVIEW

Applicants for Business and Industry loan guarantees may be required to submit a notice to the Regional Clearinghouse servicing the area. This will initiate the Intergovernmental Review process, which calls for consultation with State and local officials regarding projects in their area, which will receive federal assistance. Rural Development will notify you if it will be necessary for you to submit Clearinghouse notices.

#### ENVIRONMENTAL REVIEW

USDA Rural Development is required to conduct Environmental Assessments of the projects it proposes to finance. Assessments are done to identify impacts on sensitive resources such as floodplains, wetlands, historical or archaeological sites, endangered species, prime agricultural lands and other resources protected by Federal Law. The level of assessment that will be required depends on the size of the project and the potential impact on protected resources. Working capital, refinancing, and equipment loans may

require no assessment. Construction restricted to a single small site may require a low-level review. Large projects with potential to cause substantial environmental impacts will require a more intensive review. USDA Rural Development will determine the level of review needed and will request that the applicant or the lender provide the information needed to conduct the assessment.

#### TECHNICAL ASSISTANCE

All applicants for B&I loan guarantees are required to provide a business plan. If assistance is needed in preparing a plan there are several sources of assistance. The business's accountant can be a technical assistance resource. Another good source of assistance is a Small Business Development Center (SBDC), who can help applicants analyze their business, identify problems and opportunities, and develop a business plan. Many SBDC's also provide entrepreneurial training. A list of SBDC's is available from USDA Rural Development or at the following link.

http://www.nyssbdc.org/locations/locations.html

#### **CONTACTS**

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# RURAL ENERGY FOR AMERICA PROGRAM (REAP)

#### **FACT SHEET**

Section 9007 – The Rural Energy for America Program, through USDA Rural Development, offers grants, guaranteed loans, and combination grant/guaranteed loans to help agricultural producers and rural small businesses in rural areas purchase and install renewable energy systems and make energy efficiency improvements to their current operations. Helpful information regarding the Section 9007 program can be found at:

http://www.rurdev.usda.gov/Energy.html

## Who is eligible?

An <u>agricultural producer</u> (individual or entity) <u>directly</u> engaged in the production of agricultural products that obtains at least 50% or greater of their gross income from their agriculture business.

A <u>rural small business</u> – an entity is considered a small business in accordance with SBA's (Small Business Administration) small business size standards (by NAICS codes). SBA size standards can be found at

http://www.sba.gov/sites/default/files/files/Size\_Standards\_Table.pdf

If a farm operation does not meet the program definition of an agricultural producer, it may apply as a rural small business, provided that it meets the applicable SBA standard.

- ❖ A private entity including a sole proprietorship, partnership, corporation, and a cooperative (including a cooperative qualified under section 501(c) (12) of the Internal Revenue Code).
- An electric utility, including a Tribal or governmental electric utility that provides service to rural consumers on a cost-of-service basis without support from public funds or subsidy from the Government authority establishing the district, provided such utilities meet SBA's definition of small business. These entities must operate independent of direct Government control.

With the exception of the entities described above, non-profit organizations and public entities are **excluded**.

# How much assistance can be provided?

	Renewable Energy Projects	Energy Efficiency Improvements Projects
Description	A system that produces or produces and delivers usable energy from a renewable energy source.	Improvements to a facility, building, or process that reduce per unit energy consumption.
Minimum grant (no more than 25% of the total eligible project cost)	\$2,500	\$1,500
Maximum grant (no more than 25% of the total eligible project cost)	\$500,000	\$250,000
Maximum grant per applicant per fiscal year	\$750,000	
Minimum guaranteed loan (no more than 75% of the total eligible project cost)	\$5,000	\$5,000
Maximum guaranteed loan (no more than 75% of the total project cost)	\$25,000,000	\$25,000,000
Minimum grant portion of the combined funding request	\$2,500	\$1,500
Maximum combination grant / guaranteed loan (no more than 75% of the total eligible project cost)	\$25,000,000	
Services of a Professional Engineer required?	Projects with total eligible cost > \$400,000	Projects with total eligible cost > \$200,000
Energy audit or energy assessment required?	NO	Required for all energy efficiency projects. Projects with total eligible cost > \$50,000 require an energy audit; projects with total cost < \$50,000 require an energy assessment.
Business Level Feasibility study required?	Projects with total eligible cost > \$200,000	NO
Technical Report Required?	YES	YES

## We encourage you to start planning your project now.

<u>A signed original application and one copy</u> are to be submitted to the USDA Rural Development Office where your project is located or, in the case of a rural small business, where it is headquartered. The address of the New York Rural Development Office is:

USDA Rural Development ATTN: Scott Collins 9025 River Rd., Room 205 Marcy, NY 13403

The phone number to call is (315) 477-6409. Selection is based on a nation-wide competition for funds. To qualify for consideration for funding, an application must meet the application requirements, technical requirements, and environmental requirements.

Separate applications must be submitted for renewable energy system and energy efficiency improvement projects. Only one application for each type of project may be submitted per year.

New York's REAP website has all the required forms, templates, and information needed to prepare a complete and eligible application. The web address is:

## http://www.rurdev.usda.gov/NY\_REAP\_Home.html

### These are the types of projects Rural Development can consider

	Renewable Energy Projects	Energy Efficiency Improvements Projects
Categories of projects (Rural small business projects must be located in a rural area; farm projects do not)	<ul> <li>Biomass/Bioenergy</li> <li>Anaerobic Digester</li> <li>Geothermal – electric generation</li> <li>Geothermal – direct use</li> <li>Hydrogen</li> <li>Small and Large Wind</li> <li>Small and Large Solar</li> <li>Hydroelectric</li> </ul>	Energy Efficiency Improvements verified by an energy audit or assessment.

# What type of application should be submitted to the NY Rural Development State Office?

Application process – Grants	Total eligible project costs
Simplified grant application criteria and procedures 4280.109	\$200,000 or less
Technical Report Guidelines can be found in	Appendix A to 4280-B
Full grant application criteria and procedures 4280.111	> \$200,000
Technical Report Guidelines can be found in	Appendix B to 4280-B

Guaranteed Loans 4280.128	Amount of Guaranteed Loan	
Reduced application and documentation	= or < \$600,000	
Full application and documentation	> \$600,000	
Guaranteed Ioan – Equity evidence by borrowers	<ul> <li>= or &lt; \$600,000 - not less than 15% of eligible project cost</li> <li>&gt; \$600,000 - not less than 25% of eligible project cost</li> </ul>	
	= or < \$600,000	85%
	> \$600,000 to \$5,000,000	80%
Maximum percentage of guarantee	> \$5,000,000 to \$10,000,000	70%
	> \$10,000,000 to \$25,000,000	60%
Guaranteed Ioan – Appraisal	= or < \$600,000 complete self-contained appraisal > \$600,000 complete summary appraisal	

# **Program Information**

	Grant	Guaranteed Loan	Combination Grant & Guaranteed Loan
Who is the applicant?	Agricultural producer or rural small business	A lender is the applicant seeking a guarantee on a loan to an agricultural producer or a rural small business.	2 applications needed.  The grant application is from the agricultural producer or the rural small business; the lender submits an application for the guaranteed loan.
What are eligible costs?  (All eligible projects must be located in a rural area and utilize a replicable, commercially available, and feasible technology.  The applicant must be the owner of the project and control the operation and maintenance of the project.  Applicants demonstrate the project has sufficient revenues to provide for operation/maintenance.)	<ol> <li>Post application purchase and installation of equipment (new, refurbished, or remanufactured), except agricultural tillage equipment, used equipment and vehicles.</li> <li>Post application non-residential construction, project improvements</li> <li>Energy audits or assessments</li> <li>Permit and license fees</li> <li>Professional service fees, except for application preparation</li> <li>Feasibility studies and technical reports</li> <li>Business Plans</li> <li>Retrofitting</li> <li>Construction of a new energy efficient facility only when the facility, based on the energy audit, will provide more energy savings than improving an existing facility.</li> </ol>	The same eligible costs as listed for a grant, with the addition of: 10. Working capital 11. Land Acquisition	Only the guaranteed loan portion can be used for working capital or land acquisition.

# Possible sources of matching funds & assistance in the preparation of tech reports

- New York State Energy Research and Development Authority (NYSERDA)
  - Toll Free: 1-866-NYSERDA or local 518-862-1090
  - http://www.nyserda.ny.gov
- Your banker or lender
- Vendors of systems/equipment you plan to purchase (technical report preparation)

#### Possible sources of help for preparing financial information:

- Your banker or accountant
- Small Business Development Centers http://www.nyssbdc.org
- Cornell Cooperative Extension http://www.cce.cornell.edu
- Private consultants

Other important information - Projects financed through the Rural Energy Program require environmental reviews by Rural Development. Please provide us with the details of the project early on so that we can discuss with you what type of review will be required and what information you will need to provide. For further information, please contact:

Assistant to the State Director	Western Region Specialist	Energy Coordinator
Scott Collins	Thomas Hauryski	Gary Pereira
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