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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1461

02/20/2017 Authored by Clark, Lee and Kunesh-Podein
The bill was read for the first time and referred to the Committee on Agriculture Policy
03/07/2017 By motion, recalled and re-referred to the Committee on Agriculture Finance

1.1 A bill for an act
1.2 relating to agriculture; establishing an urban agriculture development pilot grant
1.3 program; appropriating money; proposing coding for new law in Minnesota
1.4 Statutes, chapter 17.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [17.132] URBAN AGRICULTURE DEVELOPMENT PILOT PROGRAM.

1.7 Subdivision 1. Establishment. (a) The commissioner shall establish and administer an
1.8 urban agriculture development pilot program to provide competitive grants to eligible cities;
1.9 Native American tribal communities; and individuals, nonprofit organizations, and
1.10 cooperatives located in eligible cities.

1.11 (b) For purposes of this section, "urban agriculture" means producing plants, poultry,
1.12 livestock, compost, or other agricultural products on public or private property within city
1.13 limits or in a peri-urban area including, but not limited to, residential land farmed by the
1.14 property's stewards and caretakers for market, community, or personal use.

1.15 (c) For purposes of this section, "eligible city" means:

1.16 (1) a city with a population over 10,000; or

1.17 (2) a city where at least ten percent of the population is comprised of communities of
1.18 color or Native American tribal communities living at or below 200 percent of the poverty
1.19 threshold as determined by the United States Census Bureau.

1.20 Subd. 2. Competitive grants. Grant applications must be submitted to the commissioner
1.21 in the form prescribed by the commissioner. For each grant, the commissioner may award
1.22 up to 25 percent of total funds appropriated or otherwise available to the commissioner to

- 2.1 award grants under this section during the fiscal year. The commissioner must award
2.2 competitive grants based on the applicant's commitment to:
- 2.3 (1) increase urban agriculture production capacity;
2.4 (2) create living-wage jobs;
2.5 (3) increase fresh food access, including access to affordable organic foods, to improve
2.6 both local and regional food security;
2.7 (4) reduce or eliminate health disparities related to food access;
2.8 (5) promote value-added agricultural production;
2.9 (6) provide entrepreneurial opportunities;
2.10 (7) enhance community education;
2.11 (8) involve youth;
2.12 (9) promote racial equity by engaging and increasing food access for low-income
2.13 communities, communities of color, and Native American tribal communities;
2.14 (10) provide healthy food, including fresh, culturally appropriate foods, to food shelves
2.15 and similar charitable organizations;
2.16 (11) extend the growing season;
2.17 (12) develop or enhance farm-to-school channels;
2.18 (13) reduce waste or make more efficient use of energy, water, nutrients, or other inputs;
2.19 (14) provide environmental benefits, including but not limited to clean water, healthy
2.20 soils, carbon sequestration, and pollinator habitat;
2.21 (15) promote organic and sustainable agriculture;
2.22 (16) create food hubs and other collaborative infrastructure for urban agriculture including
2.23 shared storage facilities, processing equipment, and product marketing;
2.24 (17) increase food justice;
2.25 (18) protect the tenure of urban farmers, if the grantee is not the owner of the land but
2.26 has a lease agreement;
2.27 (19) expand the supply of urban agricultural land available for permanent use;
2.28 (20) obtain or provide matching funds;
2.29 (21) develop or strengthen partnerships and other collaborations; or

3.1 (22) contribute to geographic diversity among grant recipients.

3.2 Subd. 3. **Repayment required.** (a) For a period of five years after receiving a grant
3.3 under this section, a city must repay to the commissioner an amount equal to each grant
3.4 received under this section plus interest if the city terminates a lease or adopts, amends, or
3.5 repeals an ordinance or a resolution resulting in an individual, nonprofit organization, or
3.6 cooperative losing the ability to continue farming the same parcel of land.

3.7 (b) Repayment is not required under paragraph (a) if the activities of the individual,
3.8 nonprofit organization, or cooperative constituted a public nuisance; if the individual,
3.9 nonprofit organization, or cooperative did not farm the parcel in two of the prior three years;
3.10 or if the land is used for affordable housing development. If, for a period of five years after
3.11 receiving a grant under this section, a city uses the parcel for affordable housing, the city
3.12 must provide replacement land comparable in location, farming qualities, size, and soil
3.13 quality.

3.14 (c) An individual, nonprofit organization, cooperative, or Native American tribal
3.15 community must repay to the commissioner an amount equal to each grant received under
3.16 this section plus interest if the individual, nonprofit organization, cooperative, or Native
3.17 American tribal community sells or leases the land used for urban farming for nonagricultural
3.18 development that is not affordable housing development within five years of receiving a
3.19 grant.

3.20 (d) For purposes of this subdivision, "affordable housing development" has the meaning
3.21 given in section 462.355, subdivision 3.

3.22 (e) The commissioner must compute interest as provided in section 270C.40.

3.23 Subd. 4. **Annual report required.** No later than January 15 each year, the commissioner
3.24 must report program outcomes and recommendations to the legislative committees and
3.25 divisions with jurisdiction over agriculture policy and finance. Reported program outcomes
3.26 must include, but are not limited to, jobs created, wages generated, the number of people
3.27 trained, the amount of human and organizational capacity building facilitated, and the
3.28 quantity of agricultural products produced.

3.29 Subd. 5. **Expiration.** This section expires June 30, 2019.

3.30 Sec. 2. **APPROPRIATION.**

3.31 \$10,000,000 in fiscal year 2018 and \$10,000,000 in fiscal year 2019 are appropriated
3.32 from the general fund to the commissioner of agriculture for purposes of section 1.