

115TH CONGRESS
2D SESSION

S. 3005

To encourage and promote urban, indoor, and other emerging agricultural production practices, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 6, 2018

Ms. STABENOW (for herself, Mr. VAN HOLLEN, Mr. CASEY, Ms. BALDWIN, Mr. BOOKER, Mr. DURBIN, Mr. MENENDEZ, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To encourage and promote urban, indoor, and other emerging agricultural production practices, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Urban Agriculture Act
5 of 2018”.

6 **SEC. 2. CONGRESSIONAL FINDINGS AND DECLARATION OF**
7 **PURPOSES.**

8 (a) FINDINGS.—Congress finds that—

1 (1) agricultural producers are developing inno-
2 vative agricultural production practices and using
3 traditional production practices in innovative loca-
4 tions, such as urban areas;

5 (2) those urban agricultural practices con-
6 tinue—

7 (A) to create jobs and develop the work-
8 force;

9 (B) to increase domestic food production;

10 (C) to support local food infrastructure;

11 (D) to create new regional markets for ag-
12 ricultural producers, consumers, and businesses;

13 (E) to revitalize abandoned or underused
14 property and buildings;

15 (F) to enhance green space and improve
16 air quality;

17 (G) to provide pollinator habitat;

18 (H) to encourage community engagement;

19 (I) to mitigate stormwater runoff;

20 (J) to create energy efficiencies;

21 (K) to strengthen relationships between
22 urban consumers and agriculture; and

23 (L) to inspire a new generation of agricul-
24 tural producers in the United States; and

1 (3) to further realize the benefits described in
2 paragraph (2), the Secretary of Agriculture should
3 comprehensively incorporate urban, indoor, and
4 other emerging agricultural practices into the vision
5 of the Department of Agriculture to provide eco-
6 nomic opportunity through promoting innovative ag-
7 ricultural production that—

8 (A) better nourishes the people of the
9 United States; and

10 (B) preserves the natural resources of the
11 United States.

12 (b) PURPOSES.—The purposes of this Act are—

13 (1) to establish a consistent and coordinated
14 approach within the Department of Agriculture to
15 support urban, indoor, and other emerging agricul-
16 tural practices;

17 (2) to articulate a broadly inclusive description
18 of urban, indoor, and other emerging agricultural
19 practices that includes—

20 (A) new and innovative agricultural prac-
21 tices;

22 (B) traditional agricultural practices in
23 nontraditional locations; and

24 (C) for-profit and nonprofit production
25 methods; and

1 (3) to promote activities including urban farm-
2 ing, edible gardens, green walls, rooftop agriculture,
3 indoor vertical farms, and other emerging agricul-
4 tural practices.

5 **SEC. 3. OFFICE OF URBAN AGRICULTURE AND INNOVATIVE**
6 **PRODUCTION.**

7 (a) IN GENERAL.—Subtitle A of the Department of
8 Agriculture Reorganization Act of 1994 (7 U.S.C. 6911
9 et seq.) is amended by adding at the end the following:
10 **“SEC. 221. OFFICE OF URBAN AGRICULTURE AND INNOVA-**
11 **TIVE PRODUCTION.**

12 “(a) OFFICE.—

13 “(1) IN GENERAL.—The Secretary shall estab-
14 lish in the Department an Office of Urban Agri-
15 culture and Innovative Production.

16 “(2) DIRECTOR.—The Secretary shall appoint a
17 senior official to serve as the Director of the Office
18 of Urban Agriculture and Innovative Production (re-
19 ferred to in this section as the ‘Director’).

20 “(3) MISSION.—The mission of the Office of
21 Urban Agriculture and Innovative Production shall
22 be to encourage and promote urban, indoor, and
23 other emerging agricultural practices, including—

1 “(A) community gardens and farms lo-
2 cated in urban areas, suburbs, and urban clus-
3 ters;

4 “(B) rooftop farms, outdoor vertical pro-
5 duction, and green walls;

6 “(C) indoor farms, greenhouses, and high-
7 tech vertical technology farms;

8 “(D) hydroponic, aeroponic, and aquaponic
9 farm facilities; and

10 “(E) other innovations in agricultural pro-
11 duction, as determined by the Secretary.

12 “(4) RESPONSIBILITIES.—The Director shall be
13 responsible for engaging in activities to carry out the
14 mission described in paragraph (3), including by—

15 “(A) managing and facilitating programs,
16 including for community gardens, urban farms,
17 rooftop agriculture, and indoor vertical produc-
18 tion;

19 “(B) coordinating with the agencies and
20 officials of the Department;

21 “(C) advising the Secretary on issues relat-
22 ing to the mission of the Office of Urban Agri-
23 culture and Innovative Production;

24 “(D) ensuring that the programs of the
25 Department are updated to address urban, in-

1 door, and other emerging agricultural produc-
2 tion practices, in coordination with the officials
3 in the Department responsible for those pro-
4 grams;

5 “(E) engaging in external relations with
6 stakeholders and coordinating external partner-
7 ships to share best practices, provide
8 mentorship, and offer technical assistance;

9 “(F) facilitating interagency program co-
10 ordination and developing interagency tools for
11 the promotion of existing programs and re-
12 sources;

13 “(G) creating resources that identify com-
14 mon State and municipal best practices for
15 navigating local policies;

16 “(H) reviewing and improving farm enter-
17 prise development programs that provide infor-
18 mation about financial literacy, business plan-
19 ning, and food safety record keeping;

20 “(I) coordinating networks of community
21 gardens and facilitating connections to local
22 food banks, in partnership with the Food and
23 Nutrition Service; and

1 “(J) collaborating with other Federal agen-
 2 cies that use agricultural practices on-site for
 3 food production or infrastructure.

4 “(b) URBAN AGRICULTURE AND INNOVATIVE PRO-
 5 DUCTION ADVISORY COMMITTEE.—

6 “(1) IN GENERAL.—Not later than 180 days
 7 after the date of enactment of this section, the Sec-
 8 retary shall establish an Urban Agriculture and In-
 9 novative Production Advisory Committee (referred to
 10 in this subsection as the ‘Committee’) to advise the
 11 Secretary on—

12 “(A) the development of policies relating to
 13 urban, indoor, and other emerging agricultural
 14 production practices; and

15 “(B) any other aspects of the implementa-
 16 tion of this section.

17 “(2) MEMBERSHIP.—

18 “(A) IN GENERAL.—The Committee shall
 19 be composed of 15 members, of whom—

20 “(i) 5 shall be individuals who are ag-
 21 ricultural producers, of whom—

22 “(I) not fewer than 2 individuals
 23 shall be agricultural producers located
 24 in an urban area or urban cluster;
 25 and

1 “(II) not fewer than 2 individuals
2 shall be farmers that use innovative
3 technology, including indoor farming
4 and rooftop agriculture;

5 “(ii) 2 shall be representatives from
6 an institution of higher education or exten-
7 sion program;

8 “(iii) 1 shall be an individual who rep-
9 resents a nonprofit organization, which
10 may include a public health, environ-
11 mental, or community organization;

12 “(iv) 1 shall be an individual who rep-
13 resents business and economic develop-
14 ment, which may include a business devel-
15 opment entity, a chamber of commerce, a
16 city government, or a planning organiza-
17 tion;

18 “(v) 1 shall be an individual with sup-
19 ply chain experience, which may include a
20 food aggregator, wholesale food distributor,
21 food hub, or an individual who has direct-
22 to-consumer market experience;

23 “(vi) 1 shall be an individual from a
24 financing entity; and

1 “(vii) 4 shall be individuals with re-
2 lated experience or expertise in urban, in-
3 door, and other emerging agriculture pro-
4 duction practices, as determined by the
5 Secretary.

6 “(B) INITIAL APPOINTMENTS.—The Sec-
7 retary shall appoint the members of the Com-
8 mittee not later than 180 days after the date of
9 enactment of this section.

10 “(3) PERIOD OF APPOINTMENT; VACANCIES.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), a member of the Committee
13 shall be appointed for a term of 3 years.

14 “(B) INITIAL APPOINTMENTS.—Of the
15 members first appointed to the Committee—

16 “(i) 5 of the members, as determined
17 by the Secretary, shall be appointed for a
18 term of 3 years;

19 “(ii) 5 of the members, as determined
20 by the Secretary, shall be appointed for a
21 term of 2 years; and

22 “(iii) 5 of the members, as determined
23 by the Secretary, shall be appointed for a
24 term of 1 year.

1 “(C) VACANCIES.—Any vacancy in the
2 Committee—

3 “(i) shall not affect the powers of the
4 Committee; and

5 “(ii) shall be filled as soon as prac-
6 ticable in the same manner as the original
7 appointment.

8 “(D) CONSECUTIVE TERMS.—An initial
9 appointee of the committee may serve an addi-
10 tional consecutive term if the member is re-
11 appointed by the Secretary.

12 “(4) MEETINGS.—

13 “(A) FREQUENCY.—The Committee shall
14 meet not fewer than 3 times per year.

15 “(B) INITIAL MEETING.—Not later than
16 60 days after the date on which the members
17 are appointed under paragraph (2)(B), the
18 Committee shall hold the first meeting of the
19 Committee.

20 “(5) DUTIES.—

21 “(A) IN GENERAL.—The Committee
22 shall—

23 “(i) develop recommendations—

24 “(I) to further the mission of the
25 Office of Urban Agriculture and Inno-

1 vative Production described in sub-
2 section (a)(3); and

3 “(II) regarding the establishment
4 of urban agriculture policy priorities
5 and goals within the Department;

6 “(ii) advise the Director on policies
7 and initiatives administered by the Office
8 of Urban Agriculture and Innovative Pro-
9 duction;

10 “(iii) evaluate and review ongoing re-
11 search and extension activities relating to
12 urban, indoor, and other innovative agri-
13 cultural practices;

14 “(iv) identify new and existing bar-
15 riers to successful urban, indoor, and other
16 emerging agricultural production practices;
17 and

18 “(v) provide additional assistance and
19 advice to the Director as appropriate.

20 “(B) REPORTS.—Not later than 1 year
21 after the date of enactment of this section, and
22 each year thereafter, the Committee shall sub-
23 mit to the Secretary, the Committee on Agri-
24 culture of the House of Representatives, and
25 the Committee on Agriculture, Nutrition, and

1 Forestry of the Senate a report describing the
2 recommendations developed under subpara-
3 graph (A)(i).

4 “(6) PERSONNEL MATTERS.—

5 “(A) COMPENSATION.—A member of the
6 Committee shall serve without compensation.

7 “(B) TRAVEL EXPENSES.—A member of
8 the Committee shall be allowed travel expenses,
9 including per diem in lieu of subsistence, in ac-
10 cordance with section 5703 of title 5, United
11 States Code.

12 “(7) TERMINATION.—

13 “(A) IN GENERAL.—Subject to subpara-
14 graph (B), the Committee shall terminate on
15 the date that is 5 years after the date on which
16 the members are appointed under paragraph
17 (2)(B).

18 “(B) EXTENSIONS.—Before the date on
19 which the Committee terminates, the Secretary
20 may renew the Committee for 1 or more 2-year
21 periods.

22 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to carry out this section
24 \$5,000,000 for fiscal year 2019 and each fiscal year there-
25 after.”.

1 **SEC. 4. URBAN AGRICULTURE DEVELOPMENT.**

2 (a) DEFINITION OF DIRECTOR.—In this section, the
3 term “Director” means the Director of the Office of
4 Urban Agriculture and Innovative Production.

5 (b) FARM NUMBERS.—The Secretary shall provide
6 for the assignment of a farm number (as defined in section
7 718.2 of title 7, Code of Federal Regulations (as in effect
8 on the date of enactment of this Act)) for rooftop farms,
9 indoor farms, and other urban farms, as determined by
10 the Secretary.

11 (c) GRANT AUTHORITY.—

12 (1) DEFINITION OF ELIGIBLE ENTITY.—In this
13 subsection, the term “eligible entity” means—

14 (A) a community organization;

15 (B) a nonprofit organization;

16 (C) a unit of local government;

17 (D) a Tribal government;

18 (E) any school that serves any of grades
19 kindergarten through grade 12; and

20 (F) an institution of higher education.

21 (2) GRANTS.—The Director may award com-
22 petitive grants to eligible entities to support the de-
23 velopment of urban agriculture and innovative pro-
24 duction.

25 (3) FUNDING PRIORITY.—In awarding grants
26 under this subsection, priority shall be given to an

1 eligible entity that uses and provides an evaluation
2 of a grant received under this subsection—

3 (A) to plan and construct gardens or non-
4 profit farms;

5 (B) to operate community gardens or non-
6 profit farms that—

7 (i) produce food for donation;

8 (ii) have a demonstrated environ-
9 mental benefit and educational component;

10 and

11 (iii) are part of community efforts to
12 address local food security needs;

13 (C) to educate a community on—

14 (i) issues relating to food systems, in-
15 cluding connections between rural farmers
16 and urban communities;

17 (ii) nutrition;

18 (iii) environmental impacts, including
19 pollinator health, soil fertility, composting,
20 heat islands, and storm water runoff; and

21 (iv) agricultural production, including
22 pest and disease management; and

23 (D) to provide multiple small dollar equity
24 investments to help offset start-up costs relat-

1 ing to new production, land access, and equip-
2 ment for new and beginning farmers who—

3 (i) develop a 3-year business plan;

4 (ii) live in the community in which
5 they plan to farm; and

6 (iii) provide a match to the start-up
7 investment in the form of cash or an in-
8 kind contribution.

9 (d) PILOT PROJECTS.—

10 (1) URBAN AND SUBURBAN COUNTY COMMIT-
11 TEES.—

12 (A) IN GENERAL.—Not later than 1 year
13 after the date of enactment of this Act, the Sec-
14 retary shall establish a pilot program for not
15 fewer than 5 years that establishes 10 county
16 committees in accordance with section
17 8(b)(5)(B)(ii)(II) of the Soil Conservation and
18 Domestic Allotment Act (16 U.S.C.
19 590h(b)(5)(B)) to operate in counties located in
20 urban or suburban areas with a high concentra-
21 tion of urban or suburban farms.

22 (B) EFFECT.—Nothing in this paragraph
23 requires or precludes the establishment of a
24 Farm Service Agency office in a county in

1 which a county committee is established under
2 subparagraph (A).

3 (C) REPORT.—For fiscal year 2019 and
4 each fiscal year thereafter through fiscal year
5 2023, the Secretary shall submit to the Com-
6 mittee on Agriculture of the House of Rep-
7 resentatives and the Committee on Agriculture,
8 Nutrition, and Forestry of the Senate a report
9 describing a summary of—

10 (i) the status of the pilot program
11 under subparagraph (A);

12 (ii) meetings and other activities of
13 the committees established under that sub-
14 paragraph; and

15 (iii) the types and volume of assist-
16 ance and services provided to farmers in
17 counties in which county committees are
18 established under that subparagraph.

19 (2) INCREASING COMMUNITY COMPOST AND RE-
20 DUCING FOOD WASTE.—

21 (A) IN GENERAL.—The Secretary, acting
22 through the Director (referred to in this para-
23 graph as the “Secretary”), shall carry out pilot
24 projects under which the Secretary shall offer
25 to enter into cooperative agreements with local

1 or municipal governments in not fewer than 10
2 States to develop and test strategies for plan-
3 ning and implementing municipal compost
4 plans and food waste reduction plans.

5 (B) ELIGIBLE ENTITIES AND PURPOSES
6 OF PILOT PROJECTS.—Under a cooperative
7 agreement entered into under this paragraph,
8 the Secretary shall provide assistance to mu-
9 nicipalities, counties, local governments, or city
10 planners, as appropriate, to carry out planning
11 and implementing activities that will—

12 (i) generate compost;

13 (ii) increase access to compost for ag-
14 ricultural producers;

15 (iii) reduce reliance on, and limit the
16 use of, fertilizer;

17 (iv) improve soil quality;

18 (v) encourage waste management and
19 permaculture business development;

20 (vi) increase rainwater absorption;

21 (vii) reduce municipal food waste; and

22 (viii) divert food waste from landfills.

23 (C) EVALUATION AND RANKING OF APPLI-
24 CATIONS.—

1 (i) CRITERIA.—Not later than 180
2 days after the date of enactment of this
3 Act, the Secretary shall establish criteria
4 for the selection of pilot projects under this
5 paragraph.

6 (ii) PRIORITY.—In selecting a pilot
7 project under this paragraph, the Sec-
8 retary shall give priority to an application
9 for a pilot project that—

10 (I) anticipates or demonstrates
11 economic benefits;

12 (II) incorporates plans to make
13 compost easily accessible to agricul-
14 tural producers, including community
15 gardeners;

16 (III) integrates other food waste
17 strategies, including food recovery ef-
18 forts; and

19 (IV) provides for collaboration
20 with multiple partners.

21 (D) MATCHING REQUIREMENT.—The re-
22 cipient of assistance for a pilot project under
23 this paragraph shall provide funds, in-kind con-
24 tributions, or a combination of both from
25 sources other than funds provided through the

1 grant in an amount equal to not less than 25
2 percent of the amount of the grant.

3 (E) EVALUATION.—The Secretary shall
4 conduct an evaluation of the pilot projects fund-
5 ed under this paragraph to assess different so-
6 lutions for increasing access to compost and re-
7 ducing municipal food waste, including an eval-
8 uation of—

9 (i) the amount of Federal funds used
10 for each project; and

11 (ii) a measurement of the outcomes of
12 each project.

13 (3) HEALTHY FOOD HEALTHY ENVIRON-
14 MENT.—

15 (A) DEFINITION OF ELIGIBLE ENTITY.—In
16 this paragraph, the term “eligible entity”
17 means—

18 (i) a nonprofit organization;

19 (ii) an agriculture cooperative or busi-
20 ness;

21 (iii) a producer network or associa-
22 tion;

23 (iv) a community health organization;

24 (v) a public benefit corporation;

1 (vi) an economic development corpora-
2 tion;

3 (vii) a community supported agri-
4 culture program;

5 (viii) an institution of higher edu-
6 cation; and

7 (ix) a State, local, or Tribal agency.

8 (B) HEALTHY FOOD HEALTHY ENVIRON-
9 MENT PILOT PROJECTS.—

10 (i) IN GENERAL.—The Secretary, in
11 coordination with the Director of the Na-
12 tional Institute of Food and Agriculture
13 and the Director, shall make competitive
14 grants to eligible entities to conduct pilot
15 projects that strengthen marketplace links
16 between—

17 (I) healthy food consumption and
18 good environmental practices; and

19 (II) direct public health out-
20 comes.

21 (ii) CRITERIA.—In selecting pilot
22 projects to receive grants under this para-
23 graph, the Secretary shall—

24 (I) support pilot projects that—

1 (aa) develop innovative mar-
2 keting and incentive approaches
3 to improve purchases of healthy
4 foods;

5 (bb) have demonstrated
6 community and partnership sup-
7 port from local planning entities;

8 (cc) use strategies that im-
9 prove the use of agricultural pro-
10 ducer conservation practices and
11 improve environmental effi-
12 ciencies; and

13 (dd) provide to communities
14 evidence-based nutrition and en-
15 vironmental education; and

16 (II) give priority to pilot projects
17 that—

18 (aa) are located in—

19 (AA) underserved com-
20 munities; or

21 (BB) identified food
22 deserts;

23 (bb) equally target good con-
24 servation practices and healthy
25 food consumption;

1 (cc) demonstrate strong
2 urban, suburban, and rural link-
3 ages; and

4 (dd) provide locally or re-
5 gionally produced fruits and
6 vegetables.

7 (iii) LOCATION REQUIREMENTS.—The
8 Secretary shall ensure that not fewer than
9 2 pilot projects are located in each of the
10 following:

11 (I) Urban communities.

12 (II) Rural communities.

13 (III) Peri-urban communities.

14 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
15 authorized to be appropriated to carry out this section
16 \$20,000,000 for fiscal year 2019 and each fiscal year
17 thereafter.

18 **SEC. 5. RISK MANAGEMENT.**

19 (a) FEDERAL CROP INSURANCE.—Section 522(c) of
20 the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is
21 amended—

22 (1) by redesignating paragraph (24) as para-
23 graph (26); and

24 (2) by inserting after paragraph (23) the fol-
25 lowing:

1 “(24) GREENHOUSE POLICY.—

2 “(A) IN GENERAL.—

3 “(i) RESEARCH AND DEVELOP-
4 MENT.—The Corporation shall carry out
5 research and development, or offer to enter
6 into 1 or more contracts with 1 or more
7 qualified persons to carry out research and
8 development, regarding a policy to insure,
9 in a controlled environment such as a
10 greenhouse—

11 “(I) the production of flori-
12 culture, nursery, and bedding plants;

13 “(II) the establishment of
14 cuttings or tissue culture in a growing
15 medium; or

16 “(III) other similar production,
17 as determined by the Secretary.

18 “(ii) AVAILABILITY OF POLICY OR
19 PLAN OF INSURANCE.—Notwithstanding
20 the last sentence of section 508(a)(1), and
21 section 508(a)(2), the Corporation shall
22 make a policy described in clause (i) avail-
23 able if the requirements of section 508(h)
24 are met.

1 “(B) RESEARCH AND DEVELOPMENT DE-
2 SCRIBED.—Research and development described
3 in subparagraph (A)(i) shall evaluate the effec-
4 tiveness of policies for the production of plants
5 in a controlled environment, including policies
6 that—

7 “(i) are based on the risk of—

8 “(I) plant diseases introduced
9 from the environment;

10 “(II) contaminated cuttings,
11 seedlings, or tissue culture; or

12 “(III) Federal or State quar-
13 antine or destruction orders associ-
14 ated with the contaminated items de-
15 scribed in subclause (II);

16 “(ii) consider other causes of loss ap-
17 plicable to a controlled environment, such
18 as a loss of electricity due to weather;

19 “(iii) consider appropriate best prac-
20 tices to minimize the risk of loss;

21 “(iv) consider whether to provide cov-
22 erage for various types of plants under 1
23 policy or to provide coverage for 1 species
24 or type of plant per policy;

1 “(v) have streamlined reporting and
2 paperwork requirements that take into ac-
3 count short propagation schedules, variable
4 crop years, and the variety of plants that
5 may be produced in a single facility; and

6 “(vi) provide protection for revenue
7 losses.

8 “(C) REPORT.—Not later than 1 year
9 after the date of enactment of the Urban Agri-
10 culture Act of 2018, the Corporation shall sub-
11 mit to the Committee on Agriculture of the
12 House of Representatives and the Committee
13 on Agriculture, Nutrition, and Forestry of the
14 Senate a report that—

15 “(i) describes the results of the re-
16 search and development conducted under
17 subparagraphs (A)(i) and (B); and

18 “(ii) provides any recommendations
19 with respect to those results.

20 “(25) LOCAL FOODS.—

21 “(A) IN GENERAL.—

22 “(i) RESEARCH AND DEVELOP-
23 MENT.—The Corporation shall carry out
24 research and development, or offer to enter
25 into 1 or more contracts with 1 or more

1 qualified persons to carry out research and
2 development, regarding a policy to insure
3 production—

4 “(I) of floriculture, fruits, vegeta-
5 bles, poultry, livestock, or the prod-
6 ucts of floriculture, fruits, vegetables,
7 poultry, or livestock; and

8 “(II) that is targeted toward
9 local consumers and markets.

10 “(ii) AVAILABILITY OF POLICY OR
11 PLAN OF INSURANCE.—Notwithstanding
12 the last sentence of section 508(a)(1) and
13 section 508(a)(2), the Corporation shall
14 make a policy described in clause (i) avail-
15 able if the requirements of section 508(h)
16 are met.

17 “(B) RESEARCH AND DEVELOPMENT DE-
18 SCRIBED.—Research and development described
19 in subparagraph (A)(i) shall evaluate the effec-
20 tiveness of policies for production targeted to-
21 ward local consumers and markets, including
22 policies that—

23 “(i) consider small-scale production in
24 various areas, including urban, suburban,
25 and rural areas;

- 1 “(ii) consider a variety of marketing
2 strategies, including—
- 3 “(I) direct-to-consumer mar-
4 keting;
- 5 “(II) farmers markets;
- 6 “(III) farm-to-institution mar-
7 keting; and
- 8 “(IV) marketing through commu-
9 nity supported agriculture;
- 10 “(iii) allow for production in soil and
11 in alternative systems, such as vertical sys-
12 tems, greenhouses, rooftops, or hydroponic
13 systems;
- 14 “(iv) consider the price premium when
15 accounting for production or revenue
16 losses;
- 17 “(v) consider whether to provide cov-
18 erage—
- 19 “(I) for various types of produc-
20 tion under 1 policy; and
- 21 “(II) for 1 species or type of
22 plant per policy; and
- 23 “(vi) have streamlined reporting and
24 paperwork requirements.

1 “(C) REPORT.—Not later than 1 year
2 after the date of enactment of the Urban Agri-
3 culture Act of 2018, the Corporation shall sub-
4 mit to the Committee on Agriculture of the
5 House of Representatives and the Committee
6 on Agriculture, Nutrition, and Forestry of the
7 Senate a report that—

8 “(i) examines whether a version of ex-
9 isting policies such as the whole-farm rev-
10 enue protection insurance plan may be tai-
11 lored to provide improved coverage for pro-
12 ducers of local foods;

13 “(ii) describes the results of the re-
14 search and development conducted under
15 subparagraphs (A) and (B); and

16 “(iii) includes any recommendations
17 with respect to those results.”.

18 (b) NONINSURED CROP ASSISTANCE PROGRAM.—
19 Section 196(l)(1)(B) of the Federal Agriculture Improve-
20 ment and Reform Act of 1996 (7 U.S.C. 7333(l)(1)(B))
21 is amended by inserting “, contract price, or other pre-
22 mium price (such as a local, organic, or direct market
23 price, as elected by the producer)” after “price”.

1 **SEC. 6. SOIL AND CONSERVATION.**

2 (a) INNOVATIVE CONSERVATION.—Section
3 1240H(a)(2) of the Food Security Act of 1985 (16 U.S.C.
4 3839aa–8(a)(2)) is amended—

5 (1) by redesignating subparagraphs (E) and
6 (F) as subparagraphs (F) and (G), respectively; and

7 (2) by inserting after subparagraph (D) the fol-
8 lowing:

9 “(E) partner with farmers to develop inno-
10 vative conservation practices for urban, indoor,
11 or other emerging agricultural practices to in-
12 crease—

13 “(i) green space;

14 “(ii) pollinator habitat;

15 “(iii) stormwater management;

16 “(iv) carbon sequestration; and

17 “(v) access to agricultural production
18 sites through land tenure agreements and
19 other contracts;”.

20 (b) SOIL TESTING AND REMEDIATION ASSIST-
21 ANCE.—Chapter 5 of subtitle D of title XII of the Food
22 Security Act of 1985 is amended by inserting after section
23 1240M (16 U.S.C. 3839bb) the following:

1 **“SEC. 1240N. SOIL TESTING AND REMEDIATION ASSIST-**
2 **ANCE.**

3 “(a) IN GENERAL.—To improve the health and qual-
4 ity of the soil used for agricultural production, the Sec-
5 retary shall work with producers, including small-scale
6 producers of food, to mitigate the presence of contami-
7 nants in soil, including by carrying out subsections (b),
8 (c), and (d).

9 “(b) SOIL TESTING PROTOCOL.—

10 “(1) IN GENERAL.—The Secretary, in consulta-
11 tion with the Administrator of the Environmental
12 Protection Agency, shall establish a coordinated soil
13 testing protocol to simplify the process used by pro-
14 ducers to evaluate soil health, including testing for—

15 “(A) the optimal level of constituents in
16 and characteristics of the soil, such as organic
17 matter, nutrients, and the potential presence of
18 soil contamination from heavy metals, volatile
19 organic compounds, polycyclic aromatic hydro-
20 carbons, or other contaminants; and

21 “(B) biological and physical characteristics
22 indicative of proper soil functioning.

23 “(2) PUBLIC AVAILABILITY.—The Secretary
24 shall make the soil testing protocol established under
25 paragraph (1) available to the public.

1 “(c) SOIL ASSESSMENT AND REMEDIATION TECH-
2 NICAL ASSISTANCE.—

3 “(1) IN GENERAL.—The Secretary shall provide
4 technical assistance to a producer carrying out a soil
5 assessment or soil remediation practice that shall in-
6 clude—

7 “(A) an overall review of the health of the
8 soil used by the producer for agricultural pro-
9 duction;

10 “(B) testing of the soil, if applicable, to de-
11 termine the suitability of the soil for agricul-
12 tural production;

13 “(C) based on the results of the soil tested
14 under subparagraph (B), a consultation with
15 the producer and a determination of the qual-
16 ity, health, and level of contamination of the
17 soil adequate—

18 “(i) to protect against a health risk to
19 producers;

20 “(ii) to limit contaminants from enter-
21 ing agricultural products for human con-
22 sumption; and

23 “(iii) to regenerate and sustain the
24 soil; and

1 “(D) recommendations on methods to con-
2 duct remediation or soil building efforts to im-
3 prove soils and ensure that the producers—

4 “(i) are not growing products in soils
5 with high levels of heavy metals, volatile
6 organic compounds, polycyclic aromatic hy-
7 drocarbons, or other contaminants;

8 “(ii) have appropriate information re-
9 garding financial resources and conserva-
10 tion practices available to keep soil healthy,
11 including practices, as defined in section
12 1240A; and

13 “(iii) have access to experts, including
14 experts outside of the Natural Resources
15 Conservation Service, that may provide as-
16 sistance to producers to oversee and mon-
17 itor soil under remediation or regeneration
18 to ensure soils are suitable for agricultural
19 production in the future.

20 “(2) EDUCATION AND OUTREACH.—The Sec-
21 retary shall conduct education and outreach to pro-
22 ducers regarding the uses of soil and methods of ad-
23 dressing soil contamination and soil health degrada-
24 tion.

1 “(d) REFERRAL.—On the request of an agricultural
2 producer, where soil is found to pose an imminent hazard
3 to human health, the Secretary may refer the agricultural
4 producer to the Administrator of the Environmental Pro-
5 tection Agency for additional assistance for remediation
6 under section 104(k) of the Comprehensive Environmental
7 Response, Compensation, and Liability Act of 1980 (42
8 U.S.C. 9604(k)).”.

9 (c) COVERED PRACTICES.—Sec 1240A(4)(A) of the
10 Food Security Act of 1985 (16 U.S.C. 3839aa–1(4)(A))
11 is amended—

12 (1) in clause (iv), by striking “and” at the end;

13 (2) by redesignating clause (v) as clause (vii);

14 and

15 (3) by inserting after clause (iv) the following:

16 “(v) soil tests for—

17 “(I) heavy metals, volatile or-
18 ganic compounds, polycyclic aromatic
19 hydrocarbons, and other contami-
20 nants; and

21 “(II) biological and physical soil
22 health;

23 “(vi) scientifically based soil remedi-
24 ation practices to be carried out by the

1 producer, as determined by the Secretary;
2 and”.

3 **SEC. 7. DATA COLLECTION.**

4 (a) IN GENERAL.—Not later than 360 days after the
5 date of enactment of this Act, the Secretary shall conduct
6 as a follow-on study to the census of agriculture required
7 to be conducted in calendar year 2017 under section 2
8 of the Census of Agriculture Act of 1997 (7 U.S.C. 2204g)
9 a census of urban, indoor, and other emerging agricultural
10 production, including information about—

11 (1) community gardens and farms located in
12 urban areas, suburbs, and urban clusters;

13 (2) rooftop farms, outdoor vertical production,
14 and green walls;

15 (3) indoor farms, greenhouses, and high-tech
16 vertical technology farms;

17 (4) hydroponic, aeroponic, and aquaponic farm
18 facilities; and

19 (5) other innovations in agricultural production,
20 as determined by the Secretary.

21 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
22 authorized to be appropriated to carry out this section
23 \$8,000,000 for the period of fiscal years 2019 through
24 2021.

1 **SEC. 8. RESEARCH, EDUCATION, AND EXTENSION INITIA-**
2 **TIVE.**

3 The Food, Agriculture, Conservation, and Trade Act
4 of 1990 is amended by inserting after section 1672D (7
5 U.S.C. 5925f) the following:

6 **“SEC. 1672E. URBAN, INDOOR, AND OTHER EMERGING AG-**
7 **RICULTURAL PRODUCTION RESEARCH, EDU-**
8 **CATION, AND EXTENSION INITIATIVE.**

9 “(a) COMPETITIVE RESEARCH AND EXTENSION
10 GRANTS AUTHORIZED.—In consultation with the Urban
11 Agriculture and Innovative Production Advisory Com-
12 mittee established under section 221(b) of the Department
13 of Agriculture Reorganization Act of 1994, the Secretary
14 may make competitive grants to support research, edu-
15 cation, and extension activities for the purposes of enhanc-
16 ing urban, indoor, and other emerging agricultural pro-
17 duction by—

18 “(1) facilitating the development of urban, in-
19 door, and other emerging agricultural production,
20 harvesting, transportation, aggregation, packaging,
21 distribution, and markets;

22 “(2) assessing and developing strategies to re-
23 mediate contaminated sites;

24 “(3) determining and developing the best pro-
25 duction management and integrated pest manage-
26 ment practices;

1 “(4) assessing the impacts of shipping and
2 transportation on nutritional value;

3 “(5) identifying and promoting the horti-
4 cultural, social, and economic factors that contribute
5 to successful urban, indoor, and other emerging ag-
6 ricultural production;

7 “(6) analyzing the means by which new agricul-
8 tural sites are determined, including an evaluation of
9 soil quality, the condition of a building, or local com-
10 munity needs;

11 “(7) exploring new and innovative technologies
12 that minimize energy, lighting systems, water, and
13 other inputs for increased food production;

14 “(8) examining building material efficiencies
15 and structural upgrades for the purpose of opti-
16 mizing growth of agricultural products;

17 “(9) studying and developing new crop varieties
18 and innovative agricultural products to connect to
19 new markets; or

20 “(10) examining the impacts of crop exposure
21 to urban elements on environmental quality and food
22 safety.

23 “(b) GRANT TYPES AND PROCESS.—Subparagraphs
24 (A) through (E) of paragraph (4), paragraph (7), and
25 paragraph (11)(B) of subsection (b) of the Competitive,

1 Special, and Facilities Research Grant Act (7 U.S.C.
2 3157) shall apply with respect to the making of grants
3 under this section.

4 “(c) PRIORITY.—The Secretary may give priority to
5 grant proposals under this section that involve—

6 “(1) the cooperation of multiple entities; or

7 “(2) States or regions with a high concentration
8 of or significant interest in urban farms, rooftop
9 farms, and indoor production facilities.

10 “(d) FUNDING.—

11 “(1) MANDATORY FUNDING.—Of the funds of
12 the Commodity Credit Corporation, the Secretary
13 shall use to carry out this section \$20,000,000 for
14 the period of fiscal years 2019 through 2023, to re-
15 main available until expended.

16 “(2) AUTHORIZATION OF APPROPRIATIONS.—In
17 addition to amounts made available under paragraph
18 (1), there is authorized to be appropriated to carry
19 out this section \$10,000,000 for each of fiscal years
20 2019 through 2023.”.

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