

INTRODUCED: September 25, 2023

AN ORDINANCE No. 2023-290

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Landowner Concurrence Form to Install Structural or Vegetative Conservation Activities between the City of Richmond and The Happily Natural Day for the purpose of funding community garden improvements to the Sankofa Community Orchard located at 309 Covington Road.

Patrons – President Jones and Ms. Lambert

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 13 2023 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

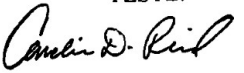
§ 1. That the Chief Administrative Officer, for and on behalf of the City of Richmond, be and is hereby authorized to execute a Landowner Concurrence Form to Install Structural or Vegetative Conservation Activities between the City of Richmond and The Happily Natural Day for the purpose of funding community garden improvements to the Sankofa Community Orchard located at 309 Covington Road. The Landowner Concurrence Form to Install Structural or

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 13 2023 REJECTED: _____ STRICKEN: _____

Vegetative Conservation Activities shall be approved as to form by the City Attorney and shall be substantially in the form of the document attached to this ordinance.

§ 2. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:
TESTE:

Carolin D. Reil
City Clerk



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Laura Drewry, City Attorney

FROM LaTasha S. Holmes, Council Chief of Staff

COPY Tabrica Rentz, Deputy City Attorney
Barbara Fore, Paralegal
Desiney Lowery, Legal Secretary
Tori Cotman, Assistant City Attorney

DATE September 20, 2023

PAGE/s 1 of 2

TITLE Landowner Concurrence Form to Install Structural or Vegetative Conservation Activities to enable Happily Natural Day to accept grant funds from the U.S. Department of Agriculture, Natural Resources Conservation Service for community garden improvements to the Sankofa Community Orchard

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

President Michael Jones

SUGGESTED STANDING COMMITTEE

ORDINANCE/RESOLUTION SUMMARY

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Landowner Concurrence Form to Install Structural or Vegetative Conservation Activities (“Landowner Concurrence Form”) to enable Happily Natural Day to accept grant funds in the amount of \$29,440.00 from the U.S. Department of Agriculture, Natural Resources Conservation Service (“USDA NRCS”), for the purpose of community garden improvements to the Sankofa Community Orchard.

BACKGROUND

Happily Natural Day addresses the need for public greenspace while simultaneously addressing the community need for food access through their work with community gardens. The Sankofa Community Orchard is a two-acre food justice and climate resiliency space consisting of over 80 fruit trees on a vacant greenspace in the Southside of Richmond,

Virginia. Sankofa addresses critical community-expressed needs for fresh food access, mitigation of urban heat island effect, and opportunities to develop public horticultural workforce skills. Happily Natural Day applied for and received a grant from USDA NRCS for the purpose of installing structural or vegetative conservation activities at Sankofa Community Garden. The structural or vegetative conservation activities include a seasonal high tunnel, heavy use area, and composting facility, all of which will benefit the community. by the individual member”.

Introduction on September 25, 2023 is requested.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact \$ N/A

Note: There is no impact or cost to the City. The total cost of the proposed improvements is \$29,440.00. USDA NRCS awarded a grant in the amount of \$29,440.00 to Happily Natural Day through Environmental Quality Incentives Program.

Attachment/s Yes No Landowner Concurrence Form and Conservation Plan or Schedule of Operations

CONSERVATION PLAN OR SCHEDULE OF OPERATIONS

PARTICIPANT HAPPILY NATURAL DAY	COUNTY AND STATE RICHMOND CITY County, VA	PROGRAM AND CONTRACT NUMBER EQIP 2018 7433A72308P	SUBACCOUNT FY23 VA Urban Agriculture	
LAND UNITS OR LEGAL DESCRIPTION Farm:1074 Tract(s):5063.		WATERSHED Little Westham Creek-James River	ACRES 1	EXPIRATION DATE

Contract Items 1: Cover Crop(340) **Practice Lifespan:** 1 year **Status:** Draft 2023

Basic cover crop- Planting grasses, legumes, and/or forbs for seasonal vegetative cover- post harvest of the cash crop- to address natural resource concerns. Termination of the cover crop is timed to reduce delay of planting the next cash crop.

Fields:
Tract: 5063 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR												
					2023 \$	2024 \$	2025 \$	2026 \$									
1	Cover Crop(340)	0.2000000029802			100												
1a	HU-Cover Crop - 1 acre or less	0.2 Ac	\$497.7700/Ac	PR ¹	100												

Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 2: Cover Crop(340) **Practice Lifespan:** 1 year **Status:** Draft 2024

Basic cover crop- Planting grasses, legumes, and/or forbs for seasonal vegetative cover- post harvest of the cash crop- to address natural resource concerns. Termination of the cover crop is timed to reduce delay of planting the next cash crop.

Fields:
Tract: 5063 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR												
					2023 \$	2024 \$	2025 \$	2026 \$									
2	Cover Crop(340)	0.2000000029802				100											
2a	HU-Cover Crop - 1 acre or less	0.2 Ac	\$497.7700/Ac	PR ¹		100											

Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.

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PARTICIPANT HAPPILY NATURAL DAY	COUNTY AND STATE RICHMOND CITY County, VA	PROGRAM AND CONTRACT NUMBER EQIP 2018 7433A72308P	SUBACCOUNT FY23 VA Urban Agriculture	
		WATERSHED Little Westham Creek-James River	ACRES 1	EXPIRATION DATE

Contract Items 3: Irrigation Water Management Design (163) **Status:** Draft 2024

Utilize a certified Technical Service Provider (TSP) to design planned conservation practices that address the volume, frequency, and application rate of irrigation water. Design and implementation will meet the general and additional applicable criteria found in each conservation practice. The DIA narrative will describe the overall system operation and procedures to install all practices. Job sheets and implementation requirement documents found in State's FOTG Section IV Conservation Practices may be used.

Fields:
Tract: 5063 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR										
					2023 \$	2024 \$	2025 \$	2026 \$							
3	Irrigation Water Management Design (163)	1 No				6,158									
3a	HU-1-2 Designs - Without Pump Test	1 No	\$6,157.4000 / No	PR ¹		6,158									

Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 4: Cover Crop(340) **Practice Lifespan:** 1 year **Status:** Draft 2025

Basic cover crop- Planting grasses, legumes, and/or forbs for seasonal vegetative cover- post harvest of the cash crop- to address natural resource concerns. Termination of the cover crop is timed to reduce delay of planting the next cash crop.

Fields:
Tract: 5063 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR										
					2023 \$	2024 \$	2025 \$	2026 \$							
4	Cover Crop(340)	0.2000000029802						100							
4a	HU-Cover Crop - 1 acre or less	0.2 Ac	\$497.7700/ Ac	PR ¹				100							

Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 5: High Tunnel System(325) **Practice Lifespan:** 5 years **Status:** Draft 2025

High Tunnel - Install a High Tunnel System to cover and protect crops from sun, wind, excessive rainfall, or cold, to extend the growing season in an environmentally safe manner.

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PARTICIPANT HAPPILY NATURAL DAY		COUNTY AND STATE RICHMOND CITY County, VA		PROGRAM AND CONTRACT NUMBER EQIP 2018 7433A72308P				SUBACCOUNT FY23 VA Urban Agriculture			
				WATERSHED Little Westham Creek-James River				ACRES 1		EXPIRATION DATE	

Fields:
Tract: 5063 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR											
					2023 \$	2024 \$	2025 \$	2026 \$								
5 5a	High Tunnel System(325) HU-Contiguous US Snow, Intensive Sun	2880 SqFt 2880 SqFt	\$7.4500/ SqFt	PR ¹			21,456									

Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 6: Composting Facility(317) **Practice Lifespan:** 15 years **Status:** Draft 2026

Compost Facility - Construct a structure or install a device to contain and facilitate an aerobic microbial ecosystem for the decomposition of manure, other organic material, or both, into a final product sufficiently stable for storage, onfarm use, and application to land as a soil amendment.

Fields:
Tract: 5063 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR											
					2023 \$	2024 \$	2025 \$	2026 \$								
6 6a	Composting Facility(317) HU-Less than 500 SF Concrete floor with Wood or Concrete walls	1 No 54 SqFt	\$21.9100/ SqFt	PR ¹				1,184								

Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.

Contract Items 7: Heavy Use Area Protection(561) **Practice Lifespan:** 10 years **Status:** Draft 2026

Stabilization - Stabilize or protect an intensively used area.

Fields:
Tract: 5063 Fields: 1;

Contract Item	Planned Conservation Treatment	Planned Amount	Unit Cost	Cost Share Rate/Method	COMPLETION SCHEDULE AND ESTIMATED COST-SHARE OR PAYMENT BY YEAR											
					2023 \$	2024 \$	2025 \$	2026 \$								

CONSERVATION PLAN OR SCHEDULE OF OPERATIONS

PARTICIPANT HAPPILY NATURAL DAY	COUNTY AND STATE RICHMOND CITY County, VA	PROGRAM AND CONTRACT NUMBER EQIP 2018 7433A72308P	SUBACCOUNT FY23 VA Urban Agriculture	
		WATERSHED Little Westham Creek-James River	ACRES 1	EXPIRATION DATE

7	Heavy Use Area Protection(561)	1115 SqFt				342						
7a	HU-Reinforced Concrete, no curb	36 SqFt	\$9.4900/ SqFt	PR ¹		342						

Notes: ¹Payment rates define the unit cost rate of compensation to be received by the participant.

PARTICIPANT HAPPILY NATURAL DAY	COUNTY AND STATE RICHMOND CITY County, VA	PROGRAM AND CONTRACT NUMBER EQIP 2018 7433A72308P	SUBACCOUNT FY23 VA Urban Agriculture	
LAND UNITS OR LEGAL DESCRIPTION Farm:1074 Tract(s):5063.		WATERSHED Little Westham Creek-James River	ACRES 1	EXPIRATION DATE

Total Cost-Share or Payment by Year										Total Contract Payment
Year	2023	2024	2025	2026						
Amount(\$)	\$100	\$6,258	\$21,556	\$1,526						\$29,440

NOTES: A. All items numbers on form NRCS-CPA-1155 must be carried out as part of this contract to prevent violation.
 B. When established, the conservation practices identified by the numbered items must be maintained by the participant at no cost to the government.
 C. All cost share rates are based on average cost (AC) with the following exceptions:
 AA = Actual cost not to exceed average cost; FR = Flat Rate; NC = Non cost-shared; AM = Actual cost not to exceed a specified maximum; PR = Payment rates.
 D. By signing, the participant acknowledges receipt of this conservation plan including this form NRCS-CPA-1155 and agrees to comply with the terms and conditions here of.

PRIVACY ACT

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C 522a). Furnishing this information is voluntary; however failure to furnish correct, complete information will result in the withholding or withdrawal of such technical or financial assistance. The information may be furnished to other USDA agencies, the Internal Revenue Service, the Department of Justice, or other state or federal law enforcement agencies, or in response to orders of a court, magistrate, or administrative tribunal.
 This information collection is exempted from the Paperwork Reduction Act under 16 U.S.C. 3801 note and 16 U.S.C. 3846.

NON-DISCRIMINATION STATEMENT

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [How to File a Program Discrimination Complaint](#) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov

USDA is an equal opportunity provider, employer and lender.

Landowner Concurrence Form to Install Structural or Vegetative Conservation Activities Clear Form

This form is used for the applicant to obtain written documentation of landowner concurrence for the purpose of installing structural or vegetative conservation activities on land they lease. Structural and vegetative conservation activities are those conservation activities with a lifespan greater than one year.

Applicant Name: Happily Natural Day	Landowner Name: City of Richmond, Virginia	Date Prepared: 04/04/2023
Application No. 7433A72308P	Farm Name (opt):	

Conservation Activity:	Farm No. & Tract No.	Field Nos.	Lifespan*(yrs)
1. Seasonal High Tunnel	Farm# 1074 Tract # 5063	1	5
2. Heavy Use Area	Farm# 1074 Tract # 5063	1	10
3. Composting Facility	Farm# 1074 Tract # 5063	1	10
4.			
5.			
6.			
7.			
8.			
9.			
10.			

*** The practice lifespan is the period in which the conservation activities are to be used and maintained for their intended purposes, as defined by NRCS standards.**

Landowner Concurrence
By signing this form, I, the landowner, hereby agree that the above-named applicant, if awarded a contract with the USDA Natural Resources Conservation Service (NRCS), has permission to install and maintain conservation activities on the land identified. I understand that I am not a party to any contract between NRCS and the applicant to install the above-listed conservation activities.

Landowner Signature: _____ **Print Name:** _____ **Date:** _____

Approved as to Form: Rebecka Hillier-Brady 9/21/23 **Non-Discrimination Statement**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident. Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English. To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at How to File a Program Discrimination Complaint and at any USDA office or write a letter addressed to USDA and provide the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: program.intake@usda.gov. USDA is an equal opportunity provider, employer, and lender.