Natural Resources Conservation Service

Urban Agriculture and Innovative Production Advisory Committee

CHARTER

1. Committee’s Official Designation

The official designation of this Committee is the Urban Agriculture and Innovative Production Advisory Committee (UAIPAC).

2. Authority

Section 12302 of the Agriculture Improvement Act of 2018 (2018 Farm Bill), Public Law 115–334, 7 U.S.C.§ 6923(b)(1) directs the Secretary of the United States Department of Agriculture (USDA) to establish an Urban Agriculture and Innovative Production Advisory Committee (“Committee”) to advise the Secretary on the development of policies and outreach relating to urban, indoor, and other emerging agricultural production practices; and any other aspects of the implementation of that section of the Farm Bill. This Charter establishes the Urban Agriculture and Innovative Production Advisory Committee in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App. 2, and 41 CFR § 102-3.

3. Objectives and Scope of Activities

The 2018 Farm Bill also directs the Secretary to appoint a senior official to serve as the Director of the Office of Urban Agriculture and Innovative Production ("Director"). The mission of the Office of Urban Agriculture and Innovative Production shall be to encourage and promote urban, indoor, and other emerging agricultural practices, including:

(1) community gardens and farms located in urban areas, suburbs, and urban clusters;
(2) rooftop farms, outdoor vertical production, and green walls;
(3) indoor farms, greenhouses, and high-tech vertical technology farms;
(4) hydroponic, aeroponic, and aquaponic farm facilities; and
(5) other innovations in agricultural production, as determined by the Secretary.

4. Description of Duties

The Urban Agriculture and Innovative Production Advisory Committee will advise the Secretary on the development of policies and outreach relating to urban, indoor, and other emerging agricultural production practices; and any other aspects of the implementation of the Urban Agriculture and Innovative Production section of the 2018 Farm Bill.
The Committee shall also:

(1) develop recommendations and advise the Director on policies, initiatives, and outreach administered by the Office of Urban Agriculture and Innovative Production;

(2) evaluate and review ongoing research and extension activities relating to urban, indoor, and other innovative agricultural practices;

(3) identify new and existing barriers to successful urban, indoor, and other emerging agricultural production practices; and

(4) provide additional assistance and advice to the Director as appropriate.

5. **Agency or Official to Whom the Committee Reports**

The Committee will advise the Director of the Office of Urban Agriculture and Innovative Production within NRCS and the Secretary.

6. **Support**

The Natural Resources Conservation Service (NRCS) will provide the necessary administrative and logistical support for the Committee.

7. **Estimated Annual Operating Costs and Staff Years**

The estimated annual operating costs for the Committee are $100,000 including the estimated FTE of 0.2 staff years.

8. **Designated Federal Officer**

The NRCS will appoint a permanent full-time or part-time federal employee in accordance with agency procedures to serve as the Designated Federal Officer (DFO). The DFO will approve the Committee’s meetings, prepare and approve all Committee meeting agendas, attend Committee meetings, adjourn any Committee meeting when the DFO determines adjournment to be in the public interest, and chair Committee meetings when the Chairperson is unavailable. Additionally, the DFO, Alternate DFO or other delegated federal official will approve and attend meetings of the Committee’s subcommittees, if any.

9. **Estimated Number and Frequency of Meetings**

Pursuant to the direction of Congress at 7 U.S.C. § 6923(b)(4)(A), the Committee shall meet not fewer than three (3) times per year.

In the event the Committee appoints subcommittees, such properly appointed subcommittees are authorized to meet as necessary to fulfill their responsibilities to the Committee.

10. **Duration**

Continuing.
11. **Termination**

Pursuant to 7 U.S.C. § 6923(b)(7)(A), the Committee shall terminate on the date that is five (5) years after the date on which the members are appointed under 7 U.S.C. § 6923(b)(2)(B); however, before the date the Committee terminates, the Secretary may renew the Committee for one (1) or more two-year (2-year) periods.

The Committee Charter will expire two (2) years after the filing unless, prior to that date, it is renewed in accordance with provisions of section 14 of FACA. The Committee will not meet or take any action without a valid Charter.

12. **Membership and Designation**

a. At the initial establishment of the Committee, the Chairperson will be appointed by the Secretary and shall serve as Chairperson for a period of one (1) year from the date of appointment to the Committee. The Chairperson will be an individual who is a member of the Committee and who is recognized for their ability to lead a group in a fair and focused manner. Subsequently, the Chairperson shall be elected by a simple majority of Committee members and serve as Chairperson for the duration of the individual’s term, but not to exceed two (2) years.

b. The Committee will be composed of twelve (12) members from a wide range of groups:

(1) Four (4) shall be individuals (representatives) who are agricultural producers, of whom –

   (a) two (2) individuals shall be agricultural producers located in an urban area or urban cluster; and

   (b) two (2) individuals shall be farmers that use innovative technology;

(2) Two (2) shall be representatives from an institution of higher education or extension program;

(3) One (1) shall be an individual who represents a nonprofit organization, which may include a public health, environmental, or community organization;

(4) One (1) shall be an individual who represents business and economic development, which may include a business development entity, a chamber of commerce, a city government, or a planning organization;

(5) One (1) shall be an individual with supply chain experience, which may include a food aggregator, wholesale food distributor, food hub, or an individual who has direct-to-consumer market experience;

(6) One (1) shall be an individual from a financing entity; and

(7) Two (2) shall be individuals with related experience or expertise in urban,
indoor, and other emerging agriculture production practices, as determined by the Secretary.

(8) Of the members first appointed to the Committee:

(a) four (4) of the members, as determined by the Secretary, shall be appointed for a term of three (3) years;

(b) four (4) of the members, as determined by the Secretary, shall be appointed for a term of two (2) years; and

(c) four (4) of the members, as determined by the Secretary, shall be appointed for a term of one (1) year.

(d) A member initially appointed to the Committee may serve an additional consecutive term if reappointed by the Secretary.

Thereafter, members shall be appointed for a term of three (3) years.

The status/position of membership appointments (Special Government Employee or Representative) for individuals with related experience or expertise in urban, indoor, and other emerging agriculture production practice subject matter experts will be determined at the time of the member’s retention, designation, or appointment.

c. Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities. The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, political beliefs, 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).

d. UAIPAC members will serve without compensation. While engaged in the performance of their duties away from their home or regular place of business, Committee members may be allowed reimbursement for travel expenses, including per diem in lieu of subsistence, authorized by 5 U.S.C. §5703, in the same manner as a person employed intermittently in the Government service.

e. Ethics Statement

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or subcommittee member shall participate in any “specific party matters” (i.e., matters
are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO (for discussion with USDA’s Office of Ethics) any specific party matter in which the member’s immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the Committee’s recommendations.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee’s advice and recommendations. Members who are appointed as “Representatives” are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as “Special Government Employees” (SGEs) are considered intermittent Federal employees and are subject to Federal ethics laws. SGE’s are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) via the FDonline e-filing database system. Upon request USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

13. **Subcommittees**

The NRCS has the authority to create UAIPAC subcommittees. Subcommittees must report to the parent Committee and must not provide advice or work products directly to NRCS, any other USDA agency, or USDA. In the event the NRCS establishes subcommittees, such subcommittees are authorized to meet as necessary to fulfill their responsibilities to the Committee.

14. **Recordkeeping**

The records of the Committee will be handled in accordance with General Records Schedule (GRS) 6.2 and other approved agency records disposition schedule. These records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. §552.

15. **Filing Date**

January 14, 2021