

Fargo-Moorhead Metropolitan Council of Governments

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To: Cass Clay Food Commission

From: Cass Clay Food Systems Initiative (CCFSI)

Fargo-Moorhead Metropolitan Council of Governments (Metro COG)

Date: May 3, 2017

RE: Cass Clay Food Commission Agenda and Correspondence

14th Meeting of the Cass Clay Food Commission

May 10, 2017 10:30 am – 12:00 pm Location: Fargo City Commission Chambers

10:30 am	1. Welcome
	a. Approve Order & Contents of the Overall Agendab. Review & Action on Minutes from March 8, 2017 (Attachment 1)c. Commission Check-In
10:35 am	 Approve Appointment of New At-Large Member – Kayla Pridmore (Attachment 2) – Adam Altenburg
10:40 am	 Residential Gardening Blueprint Discussion & Vote for Approval (Attachment Joleen Baker
10:45 am	 Issue Brief: Food & Real Estate (Attachment 4a and 4b) – Megan Myrdal & Joleen Baker
10:50 am	5. Gleaning
	 a. Education (Attachment 5a) – Michelle Gleason & Anna Johnson b. Blueprint (Attachment 5b) – Joleen Baker c. Community Perspective (Attachment 5c) i. Nancy Carriveau, Great Plains Food Banks ii. Leola Daul, Heart-n-Soul Community Café iii. Kayla Pridmore, Woodchuck Community Farm
11:15 am	6. Fargo South DECA Students Food Waste Presentation (Attachment 6)
11:30 am	7. Public Comment Opportunity – Chair Rasmussen
11:35 am	8. Commission & Steering Committee Roundtable
11:40 am	9. Commission Action Steps
	 a. Survey - Next Issues/Topics for Blueprints (Attachment 7) - Megan Myrdal b. Next Meeting - May 10, 2017
11:45 am	10. Adjournment

Cass Clay Food Commission meetings are taped and rebroadcast on cable channel TV Fargo 56 each Friday at 11:00 am. People with disabilities who plan to attend this meeting and need special accommodations should contact Savanna Leach at Metro COG at 701.232.3242. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements. Meeting minutes are available on the City of Fargo Let's Eat Local website at www.letseatlocal.org and Metro COG's website at www.fmmetrocog.org.

A PLANNING ORGANIZATION SERVING

FARGO, WEST FARGO, HORACE, CASS COUNTY, NORTH DAKOTA AND MOORHEAD, DILWORTH, CLAY COUNTY, MINNESOTA

Attachment 1

13th Meeting of the Cass Clay Food Commission March 8th, 2017 Fargo Commission Chambers

Members Present:

Arland Rasmussen, Cass County Commission, Chair Mike Thorstad, West Fargo City Commission Jenny Mongeau, Clay County Commission Jim Aasness, Dilworth City Council John Strand, Fargo City Commission Jon Evert, At-Large Member Mindy Grant, At-Large Member Chris Olson, At-Large Member

Members Absent:

Heidi Durand, Moorhead City Council Stephanie Reynolds, At-Large Member Dana Rieth, At-Large Member

Others Present:

Megan Myrdal, Project Coordinator
Kim Lipetzky, Fargo Cass Public Health
Gina Nolte, Clay County Public Health
Hali Durand, Cass County Planning
Rita Ussatis, North Dakota State University Extension Agent – Cass County
Abby Gold, Cass Clay Food Systems Initiative
Deb Haugen, Cass Clay Food Systems Initiative
Joleen Baker, Cass Clay Food Systems Initiative
Savanna Leach, Fargo-Moorhead Metropolitan Council of Governments

Chair Rasmussen called the meeting to order at 10:30 AM.

1(a). Approve Order and Contents of the Overall Agenda

A motion to approve the order and contents of the overall agenda was made by Mr. Evert and seconded by Mr. Aasness. The motion was voted on and unanimously approved.

1(b). Review and Action on Minutes from January 11, 2017

A motion to approve the minutes was made by Mr. Strand and seconded by Mr. Thorstad. The motion was voted on and unanimously approved.

Gina Nolte arrived at 10:32 AM.

2. Commission Check-In

Chair Rasmussen informed the Commission that members would have an opportunity to give an update on any news or events happening in the community.

Ms. Lipetzky explained that the steering committee had received a comment from a property owner in Moorhead stating that they had land available for anyone interested in utilizing it for growing purposes. She asked that anyone interested contact her for further information.

Mr. Evert stated that a neighbor in the Comstock area had built a high tunnel for gardening purposes and that he was looking forward to hearing how well it was working.

Ms. Grant informed the Commission that Growing Together would be holding its annual registration on March 16 and that flyers and posters were available to anyone who was interested.

Ms. Durand stated that a comprehensive plan update for Cass County was beginning and that consultants will be asked to look at food access and other food systems issues affecting the county.

Ms. Myrdal informed the Commission about the Red River Winter Market held at the old Avalon building in downtown Fargo. She explained that 20 vendors and over 2,000 people attended and stated that there is community interest in local food even during winter months.

3. Cottage Food Laws Blueprint Discussion & Vote for Approval

Chair Rasmussen asked Ms. Baker if there were any updates or revisions made to the cottage food laws blueprint. Ms. Baker informed the Commission that a few changes had been made to the blueprint since it was first brought forth to the Commission in January.

Ms. Baker explained that a paragraph had been added to the background section explaining how regulations for cottage food laws are impacted at both the federal and state level. She clarified that canned goods cannot cross state lines but that other goods covered under the Cottage Food Exemption can be sold across state lines so long as they meet applicable state laws and regulations.

Ms. Baker stated that she also added contact information for the North Dakota Department of Health and the Minnesota Department of Agriculture in Appendix B. She explained that these are the entities that can answer any further questions on cottage food laws in North Dakota or Minnesota.

Ms. Baker informed the Commission that the North Dakota Senate is currently debating the Food Freedom Act, which would lift some of the restrictions on farm fresh or homemade goods.

Mr. Strand asked for clarification on whether cities should adopt their own ordinances regarding cottage foods or if its best left to state and federal entities. Ms. Baker responded that there are regulating bodies in both states but that cities may adopt stricter language if they desire.

Chair Rasmussen stated that he believed the blueprint would provide jurisdictions additional information about current cottage food regulations and allow them to better determine if additional guidelines were needed. Ms. Myrdal stated that the current Food Freedom bill in North Dakota would prohibit cities and counties from adopting their own cottage food regulations so that the law could be uniform across the state.

A motion to approve the cottage food laws blueprint was made by Ms. Mongeau and seconded by Mr. Aasness. The motion was voted on and unanimously approved.

4a. Residential Gardening Blueprint

Ms. Baker informed the Commission that the Steering Committee had developed a new urban agriculture blueprint examining residential gardening. She began by stating that more acres are covered by turfgrass lawns than all agricultural commodities combined, including corn, alfalfa, soybeans, orchards, vineyards, cotton, pastures, wheat, and hay. She explained that this is important when considering the impacts urban spaces play in providing access for local, affordable foods.

Ms. Baker explained that, while residential gardening is mostly permitted as a whole, most local jurisdictions have not addressed gardening in front yards or boulevards. She further iterated that some neighborhoods operate under associations or have adopted covenants which further regulate yard use.

Ms. Baker explained the framework for evaluating residential gardening including health, environment, social, and economic aspects. She explained that several benefits of residential gardening include moderately-intense exercise which decreases stroke and heart attack risk, boosting mental health, increasing access to fresh, local food, and reducing the food miles travelled by allowing residents to grow their own food. She explained that concerns include potential impacts to utilities in the public right-of-way.

Ms. Baker stated that front yard gardens are allowed in other regional jurisdictions with restrictions including: Bismarck, Duluth, Grand Forks, Lincoln, Mankato, Rochester, and Sioux Falls. She further stated that boulevard gardens are allowed in Bismarck, Duluth, and Lincoln.

Ms. Baker explained that sample ordinances included in the residential gardening blueprint come from Des Moines, St. Paul, and Toronto. She stated that St. Paul's ordinance on boulevard gardening states the residents must be registered with the city and provides specifics on plant height, excavation, plant distance from the street, maintenance, and restrictions of chemical use. She concluded with a chart detailing plant examples for boulevard gardening put out by University of Minnesota Extension.

Ms. Lipetzky asked whether there is guidance for people about planting a combination of flowers and fruits or vegetables. Ms. Baker responded that the sample ordinances she looked at didn't address that issue per se but that they encouraged growers to have a much plant cover as possible and not to have large amounts of open dirt for runoff and aesthetic reasons. She added that flowers tend to provide more cover than fruit or vegetable plants.

Mr. Evert asked if it would be allowable to fence boulevard gardens to protect them from passersby. Ms. Baker stated that this is not allowed in the ordinances she reviewed but that there was guidance on plant varieties that are better able to withstand foot traffic.

Ms. Gold stated that it may be helpful to provide additional information on rain gardens. She also discussed several examples of boulevard gardens in St. Paul.

4b. Community Perspective

Ms. Myrdal informed the Commission of three speakers were asked to comment on residential gardening: Peter Schultz from the Longspur Prairie Fund, Christine Holland from Riverkeepers, and Ashley Fisk from the Cass County Soil Conservation District.

4b(i). Longspur Prairie Fund

Peter Schultz provided the Commission pictures and examples of best practices for front yard gardening, with examples within and outside the community as well as information on the Longspur Prairie Fund.

Ms. Grant asked how potential water restrictions could impact residential gardening or if there was any research comparing water usage for residential gardens versus turf lawns. Ms. Baker responded that she hadn't looked into the issue but stated that it was her impression that turf lawns require more water than residential gardens and that people have the option of choosing vegetation best suited for particular climates. She stated that she would look into the issue. Mr. Schultz added that irrigation trenches and direct application techniques can result in a dramatic reduction in water use. Mr. Evert added that drip irrigation is very effective technique.

4b(ii). Riverkeepers

Christine Holland provided the Commission information on Riverkeepers and its partners, including the Cass County Soil Conservation District and the Clay County Soil and Water Conservation District.

Ms. Holland informed the Commission that Riverkeepers provides rain barrel workshops and best practices on rain water harvesting. She stated that one rain barrel can capture 600 gallons of stormwater from a 1000 square foot roof. She stated that advantages of rain barrels include reduced stormwater runoff, reduced potable water consumption, low cost, easy maintenance, and healthier plants. She explained that disadvantages may include rain barrels not being able to handle the water volumes and that there may be some regulatory and administrative obstacles that preclude the reuse of cistern water. She stated that there are a variety of sizes and styles of rain barrels and there are options for concealing or making barrels more aesthetically pleasing.

Ms. Holland spoke about composting as the natural breakdown of organic materials by microorganisms in the soil. She explained that the end product is rich, organic matter that is full of nutrients and other benefits. She stated that benefits of composting are that it helps to speed up the natural decay process of wastes and allows people to control what materials go into their compost, as well as it being easy, saving money, and promoting healthy soil. She provided the Commission examples of do-it-yourself compost bins that people are able to construct through Riverkeepers workshops.

Ms. Holland explained that Riverkeepers teams up with Moorhead Community Education for workshops on rain barrels and compost bins. She stated that workshops help to engage community members as well as giving people hands-on experience and a higher sense of obligation regarding their impacts on water quality.

Ms. Holland stated that bio-retention is the act of using plants to hold and filter stormwater for conservation purposes. She explained that the benefits of bio-retention include increased amounts of water filtering into the ground which recharges groundwater aquifers, reducing stormwater runoff pollutants, preventing erosion, and increasing wildlife habitats. She stated that bio-retention is important because 60 percent of current water pollution is attributed to stormwater runoff, which has been identified as one of the leading sources of pollution for all water bodies in the United States.

Ms. Holland provided an example of a rain garden, which is a shallow 4"-10" depression located to capture, filter, and absorb stormwater runoff with native perennials and grasses. She explained that benefits are similar to those included for bio-retention. She stated that there are

several misconceptions about rain gardens including that they are long-term ponding spaces which breed mosquitos, that only water-loving plants may be used, and that there is no maintenance. She said the reality of rain gardens is that they are designed to drain water in 24 to 48 hours, which is less than the seven days needed for mosquito larvae to hatch. She also said that they are dry most of the time, that a variety of plants can be used, and that they may require weed pulling and some watering until established.

Ms. Holland explained that there are six principles of rain gardens which include: developing a plan and location, completing a soil analysis, using an appropriate plan selection and arrangement, determining size and location, constructing the rain garden, and practicing regular maintenance. She stated that other considerations include soil type, water source, proximity to structures, and availability of sunlight. She concluded with brief descriptions of straw bale gardens, pallet gardens, and green roofs.

Ms. Holland stated that Riverkeepers is dedicated to promoting best management practices (BMPs) and that it works to develop partnerships with homeowners, builders, developers, elected officials, and other design and natural resource professionals. She also provided a list of potential incentives including public education, cost sharing, rain barrel giveaways, grants, and rebate programs.

4b(iii). Cass County Soil Conservation District

Ms. Myrdal informed the Commission that Ashley Fisk from the Cass County Soil Conservation District was unable to attend the Commission meeting. She stated that information on cost share program services for urban conservation and low-impact development projects was included in the packet materials.

4c. Public Input

Chair Rasmussen informed the audience that time would be allotted for public comments on residential gardening and the information presented by Mr. Schultz and Ms. Holland.

No public comments were made.

4d. Commission Discussion

Chair Rasmussen asked if Commission members had any further comments or questions on residential gardening or the information presented.

Ms. Durand explained to the Commission that the North Dakota Planning Association will be holding its annual meeting in September. She explained that she has been tasked with finding speakers and presenters for the event and stated that she would like to see someone come and speak about the Commission's activities at the event.

Mr. Olson asked if the incentive programs discussed by Ms. Holland could be incorporated into the residential gardening blueprint. Ms. Myrdal stated that the steering committee would work with the different conservation districts and Riverkeepers to make sure the blueprint includes a complete listing of incentives and opportunities in the metropolitan area.

Mr. Thorstad asked a clarifying question regarding the title of the blueprint by pointing out that there aren't currently regulations on front yard gardening but that most of the issues come with boulevard gardening. Ms. Myrdal stated that this was correct. Ms. Baker added that some jurisdictions in other locations do have regulations on front yard gardening by requiring residents to obtain a permit.

Ms. Grant asked if there are currently regulations for structures in front yards including fences or trellises. Ms. Baker answered that her research included advisory information on those types of structures if they may impact underground utilities. She stated she wasn't sure of particular regulations for structures. Mr. Thorstad answered that they may be controlled by zoning regulations and based on the types of structures. He added that potential safety issues with boulevard gardening that may affect sight lines may be beneficial to add to the blueprint.

5. Creating a Robust Local Food System in Fargo-Moorhead

Chair Rasmussen invited Katie Black, Angelica Anderson, and Kaya Baker to speak about their university project on creating robust local food systems.

Ms. Black stated that their project began in an environmental policy class they had taken at Concordia College. She said they were assigned the broad topic of agriculture and decided to take a closer look at local agriculture in the Fargo-Moorhead metropolitan area. She stated that the research questions guiding their research included: what does local agriculture currently look like, what is the potential to create a local food system, what are the unique obstacles in this area in regard to the food system, and how can a local food system be incentivized and/or what policies need to be altered or added. She explained that their methodology included reviewing the current Food Access Planning Guide, interviewing members of the Commission and steering committee, and looking at case studies in other communities.

Ms. Anderson explained that issues affecting local food systems include: a climate which is not ideal for a long-term growing season, a disconnect between community members, farmers, and policy members, lack of centralization of farmer's markets, and difficulty in acquiring farmland and becoming a new farmer.

Ms. Baker stated that, among their recommendations, three steps of action include: creating one, centralized local food source, look at amending current policies and comprehensive plans such as the Go2030 Plan to include strategies for local food growth, and incorporating food systems dialogues modeled after current climate dialogues.

Mr. Evert asked what jurisdiction the Go2030 Plan belonged to. Ms. Black stated that this was Fargo's comprehensive plan from 2012.

6. Cass Clay Food Network New Structure

Ms. Myrdal informed the Commission on the steering committee's efforts to better define the work of the Cass Clay Food Commission and the different entities that assist in its role. She explained that the steering committee has been working with Michael Olson, a communications consultant, on ways to better communicate what the Commission is, what it would like to achieve, and how best to engage community members and interested individuals who want to be involved.

Ms. Myrdal explained one of the new structural ideas is the formation of the Cass Clay Food Action Network, which would be a network of community organizations and individuals working together to accelerate food systems progress in the region. She iterated that this group would not seek to perform the role of the Commission but to serve as a place for community conversations and networking amongst existing organizations as well as a place for people to go if they want to volunteer on projects in the community.

Ms. Myrdal explained that the steering community is still working on the structure and would welcome any feedback from the Commission.

Mr. Strand agreed with the idea for an action network and the need to organize people that can help with the implementation of different activities and actions.

Ms. Grant asked who the steering committee envisioned as being in charge of coordination and facilitation of activities for the action network. Ms. Myrdal answered that she envisioned the steering committee taking on that role initially with the hope of rotating the network's duties amongst other organizations in the area.

Mr. Evert asked a clarifying question on whether the action network would be less formal than the Commission. Ms. Myrdal stated that the steering committee is excited about the possibilities on discussing the approved blueprints and having featured organizations that could present on their activities followed by discussions on how to implement some of their projects.

Mr. Thorstad explained that it would be beneficial to stress the role food systems play in lifestyle enhancement and quality of life issues as well as the need of how better to frame discussions on what the Commission does for people who may not understand what a food system is or what is meant when talking about accessibility, food deserts, or other issues.

7. Fargo Chicken Update

Ms. Lipetzky stated that Fargo Cass Public Health has been working with Fargo planning officials and the city attorney on an ordinance which would allow backyard chicken keeping as an accessory use in residential areas. She stated that the draft ordinance is posted on the *Let's Eat Local* website and that she has received some feedback and comments. She explained that the ordinance would change two chapters of the municipal code including the land development code, of which the Planning Commission has already approved.

Ms. Lipetzky said that an informal open house would be held March 22 from 4:00 to 5:30 to discuss the stipulations of the ordinance and address any concerns or questions from the community. She stated the meeting would be held either at the Fargo Public Library or Fargo Cass Public Health. She said the ordinance would be presented to the Fargo City Commission on March 27 or April 10.

8. Public Comment Opportunity

Chair Rasmussen informed the Commission that time would be allotted for public comments.

Mara Solberg from Solberg Farms informed the Commission of Cincinnati's recent efforts to plant herbs in city parks that residents could help themselves to. She stated that this may be a good idea for the metropolitan area to incorporate herbs in the cities' park systems.

Jack Wood with Growing Together provided the Commission several updates on their activities. He explained that a new youth garden is at Bennett Elementary School and that discussions are ongoing for another garden at Sullivan Middle School/Shanley High School. He stated that Growing Together has provided a toolkit to Pelican Rapids where there is interest in developing a five-acre community garden. He also said that they are working on a garden at First Presbyterian Church of Moorhead and have also been working with Lutheran Social Services in Fargo and Grand Forks on community gardening projects. He iterated that there are no fees in Growing Together's gardens and that they strive to share any produce that is grown. He concluded by informing the Commission of its next potluck event at Olivet Lutheran Church on March 16 at 5:30.

9. Commission and Steering Committee Roundtable

Chair Rasmussen asked for the Commission and the steering committee to share any additional updates.

Ms. Mongeau explained that Clay County is partnering with Moorhead Public Service on its solar garden project and that the county voted to approve the purchase of 96 solar panels to offset some of the increased energy usage required for the new law enforcement center.

Mr. Thorstad stated that Fargo and West Fargo are both creating several new public spaces and that he would like to see Riverkeepers or others come and have public discussions on some of the topics mentioned during the meeting. He also felt that with the previous discussion on residential gardening that there may be a missed opportunity to better facilitate gardening options for residents living in apartment buildings and multifamily units. Ms. Nolte stated that this may be an area where the proposed action network could take a greater role in by providing information to developers and others.

Ms. Myrdal informed the Commission that Earth Day is April 22 and that an event called Terra Madre will be held at Bluestem Center for the Arts to celebrate local foods and showcase regional efforts.

Ms. Mongeau asked if Commission meetings were broadcast on community or public access channels in Minnesota. Ms. Myrdal stated that the steering committee would follow up on that issue for both Moorhead/Clay County and West Fargo.

10. Commission Action Steps

Chair Rasmussen stated that the next meeting would be held on May 10, 2017.

Chair Rasmussen adjourned the meeting at 11:54 AM.

APPLICATION FOR CASS CLAY FOOD SYSTEMS ADVISORY COMMISSION

APPLICANT INFORMATION

Attachment 2

Name: Kayla Pridmore

Phone: 612-351-0888

Email: woodchuckcommunityfarm@gmail.com

Preferred mailing address: 1205 4th Ave N

City: Fargo State: ND ZIP Code: 58102

EMPLOYMENT INFORMATION

Current employer: Woodchuck Community Farm

Employer address: 5119 40th St N

Phone: 2184226834 E-mail: woodchuckcommunity @ grazil.com

City: Moorhead State: MN Zip: 56560

Position: Co-farmer

WHAT SKILLS, TRAINING, OR EXPERIENCE DO YOU HAVE RELATED TO THE WORK OF THE COMMISSION?

My time in college focused on an exploration of how agriculture intersects with people and the environment. In addition to taking courses in soil science and ag policy during my time at the U of M I helped launch a zero-waste program at the Mill City farmers markets and spent a semester at the Institute for Agriculture and Trade Policy. I've spent time on a variety of farms across Minnesota and South America. In 2013 my partner and I started our small, diversified vegetable farm north of Moorhead.

Experience in kitchens in bars, restaurants, and schools rounds out my understanding of our relationship with food.

REASON FOR YOUR INTEREST TO SERVE ON THIS COMMISSION:

Increasing opportunities for everyone to participate in a sustainable food system is very important to me. My academic and work history allow me to see issues as part of greater cultural and environmental systems and my experience as a producer brings a unique perspective I believe would be valuable to the work of the commission.

PLEASE PROVIDE A BRIEF BIO (200 WORDS OR LESS): NOTE: THIS MAY BE USED FOR PUBLICATION TO DESCRIBE THE COMMISSION.

Kayla became interested in food systems while studying environmental issues in high school. Her interest in confronting issues of climate change, environmental resilience, and community health led her to working on farms at home and abroad. After completing her bachelors in environmental studies at the University of Minnesota Kayla and her partner founded Woodchuck Community Farm with the aim of bringing a diverse array of sustainably grown produce to the Fargo-Moorhead area.

Signature: Kayla Pridmore Date: 12/13/16

Please return this form to Megan Myrdal – meganmyrdal@qmail.com

Or mail to:

Fargo Cass Public Health

Attn: Kim Lipetzky 1240 25th Street South Fargo, ND 58103-2367

Kayla Pridmore

woodchuckcommunityfarm@gmail.com

Education: University of Minnesota, Morris; Morris, MN

2012 Environmental Studies

Related Employment:

2013- Woodchuck Community Farm

Owner/operator, diversified vegetable farm.

2014-2015 Prairie Roots Food Co-op

Coordinated online farmers market, ensuring an enriching experience for

producers and customers.

2012-2013 Child Garden Montessori

Planned and cooked meals for children, infant-pre-K, with a focus on organic and

whole foods.

2012 Red Goose Gardens

Assisted in all aspects of CSA, market and wholesale farm.

Women's Environmental Institute

Worked on the CSA farm in a variety of roles. Researched feasibility of aquaponics system. Designed education materials and assisted with youth programming. Worked daily in the fields, hoop houses, and with poultry.

2009-2011 Office of Sustainability, UMM

Worked to support sustainability efforts on campus and in the wider Morris

community, including heading grant writing, outreach, education, and tours.

2009-2010 Mill City Farmer's Market

Helped launch an effort to achieve zero-waste through a compost program, working closely with vendors, and encouraging customer engagement in collaboration with Eureka recycling.

Residential Gardening: Front Yard & Boulevard Gardens

This issue brief will provide background information related to residential gardening and address the common concerns and benefits from a health, environmental, social, and economic standpoint. Appendices have been provided to share how regional jurisdictions are managing their residential gardening as well as example policy language from other jurisdictions.

Background

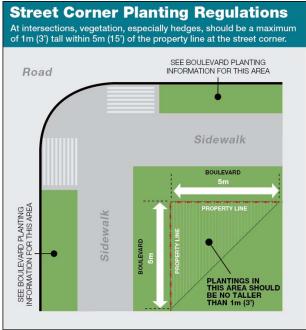
Since the 1940's American suburbia has been defined by white picket fences and perfectly green turfgrass lawns. It is estimated that turfgrass lawns in the United States cover more acres of land than corn, alfalfa, soybeans, orchards, vineyards, cotton, pastures, wheat, and hay combined, totalling around 40.5 million, and use more water than the top eight agricultural commodities combined. Not only do turfgrass lawns use tremendous resources (water, chemicals, etc.) but they also take up space that could otherwise be used to grow food.

Food Not Lawns is an organization seeking to build community through growing and sharing food urban neighborhoods. With local chapters all over the country, Food Not Lawns hosts seed sharing gatherings, gardening workshops, and provides detailed information for how to transform your lawn into a beautiful organic growing space. This transformation not only benefits homeowners and neighborhoods with access to healthy food, it also creates community and encourages people to reconnect with how their food is grown regardless of where they live. 2 Urban access to local, healthy food can be easily improved

by allowing and encouraging residents to grow food in their front and back yards.

Some cities across the United States also allow boulevard gardening. Boulevards are the space between sidewalks and streets, and can be owned by the resident or the jurisdiction. Minneapolis and St. Paul allow boulevard gardening. The cities provide residents with a fact sheet defining species that are best suited for boulevards with considerations such as height, spreading, chance for runoff, etc. Appendix C provides a list of species that can be successfully grown in boulevards. Because the primary purpose of boulevards is as utility corridors, residents are to understand that if their provider needs to access the boulevard, the garden may be damaged.

Image 1. Sample boulevard planting information and restrictions from the City of North Vancouver.3



City of North Vancouver - 2012

Incentive programs are available in the

¹ Diep, Francie. 2011. Lawn vs. Crops in the Continental US. Science Line. URL: http://scienceline.org/2011/07/lawns-vs-crops-in-the-continental-u-s/

² Food Not Lawns. 2015. URL: http://www.foodnotlawns.com/

³ Boulevards. City of North Vancouver. (2012) URL: http://www.cnv.org/city-services/streets-and-transportation/driving-and-traffic/street-use-regulations/boulevards

Fargo/Moorhead area through River Keepers and the Cass and Clay County Soil Conservation Districts. Clay County SWCD offers cost share assistance for residents hoping to establish pollinator habitats. Cass County Soil Conservation District offers guidance and opportunity for partial reimbursement for pollinator gardens, as well as cost sharing for rain barrels, compost systems, pervious paving, pocket prairies, and some other practices. For more information and eligibility information in Clay County, contact Amanda Lewis (amanda.lewis@i29.net), and Ashley Fisk (ashley.fisk@nd.nacdnet.net) in Cass County.

Table 1. Summary of residential gardening approval in local jurisdictions*

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County
Permitted**	Permitted	Not addressed	Permitted***	Permitted in select zones	Not addressed****

^{*}This table only addresses regulations at the county and city level. Some living communities, associations, or covenants further regulate yard use.

Table 2. Summary of boulevard gardening approval in local jurisdictions (as of October 2015)

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County
Not permitted*	Not addressed	Not addressed	Not permitted**	Not permitted	Not addressed

^{*}Minimal landscaping (around mailboxes, trees, etc.) is permitted, but gardens or other significant landscaping projects are not permitted in the boulevard for the following reasons: the primary use of boulevards is a utility corridor: installation of rain gardens, for example, typically require excavation of soils/replacement with engineered soils and may include installation of an underdrain, which could cause conflict with utilities; pedestrian and vehicular site visibility; and overall look of a neighborhood.

^{**}Section 3.3.3 of the City Code states that 30% or more of the land cannot be weeds exceeding the height of 8 inches or an area of 250 contiquous square feet and this section also allows for property owners to submit a natural lawn application for grasses and other growth over 8 inches in height.

^{***}Residential gardens (both commercial and non-commercial) are permitted uses within city limits. 11.0807 of the City Municipal Code states that "noxious or other weeds' exceeding the height of 8 inches are deemed a public nuisance." Additionally, landscaping may not be allowed "to impede vision between a height of 2 feet and 8 feet above curb grade within the required corner visibility area of a street intersection or driveway intersection with a street" (per ordinance 20-0706).

^{****}The county does not have regulations pertaining to residential gardening. If covered, they would be addressed in each separate township zoning ordinance. Generally, gardens are permitted in most land use zones.

^{**}Boulevards are typically located within the right-of-way, which is not private property. In Section 20-0705 of the Land Development Code, it is noted that all areas of the right-of-way for streets and utilities not covered by concrete, asphalt or such other material for vehicular, bicycle or pedestrian travel shall be covered by grass, unless otherwise approved by the Zoning Administrator.

Table 3. Framework for evaluating residential gardening

DOMAIN	BENEFIT	CONCERN	
Health	Stress-relief by lowering cortisol levels4	Risk of foodborne illness	
	Moderately-intense exercise decreases stroke and heart attack risk in seniors5		
	May reduce risk of dementia or Alzheimer's		
	Boosts mental health; may improve depression symptoms ⁷		
	Increases vitamin D from sun exposure		
	Increases food security for residents		
	Access to fresh, healthy food		
	Promotes healthy eating		
	Increased outdoor activity		
Environment	Plants help create cleaner air	Need to design gardens	
	Filters rainwater	so the soil stays in the garden and does not wash	
	Provides a diversity of urban plants for pollinators	into the street	
	Increases beauty in neighborhood		
	Reduces food miles travelled by allowing residents to grow much of their own food		
Social	Increases awareness of the food cycle and connection to agriculture	Aesthetically unpleasing for some residents	
	Provides a positive family activity		
	Increase food access to the FM area		
	Promotes positive social interactions		
	Provides opportunity for community or neighborhood interaction		
	Increased quantities of fresh produce donated to local organizations such as food pantries		

⁴ Van Den Berg AE, Custers, M. 2011. Gardening Promotes Neuroendocrine and Affective Restoration from Stress. Journal of Health Psychology. 16(1): 3-11. doi: 10.1177/1359105310365577

⁵ Topping, A. 2013. Gardening as good exercise in cutting hear attack risk, study shows. The Guardian [online]. [accessed 09 April 2015]. http://www.theguardian.com/society/2013/oct/28/gardening-exercise-cutting-heart-attack-risk-diy-60-plus

⁶ Simons LA, Simons J, McCallum J, Friedlander Y. 2006. Lifestyle factors and risk of dementia: Dubbo Study of the elderly. Medical Journal of Australia. 184(2):68-70.

⁷ Harding A. 2011. Why gardening is good for your health. CNN [online]. [accessed 09 April 2015]. http://www.cnn.com/2011/HEALTH/07/08/why.gardening.good/

Economic	Provides access to fresh fruits and vegetables for residents who may otherwise not have access	Jurisdiction cost of monitoring and addressing issues
		Boulevard gardens could be damaged if utility work needs to be done

Additional Tools:

- "The Best Plants for 30 Tough Spots" University of Minnesota Extension. http://www.extension.umn.edu/garden/yard-garden/landscaping/best-plants-for-toughsites/docs/08464-complete.pdf
- "Twin Cities Boulevard Gardening" http://www.mppeace.org/downloads/boulevard.pdf

Resources

If you have questions, please contact Kim Lipetzky with the Fargo Cass Public Health Office at 701-241-8195 or klipetzky@cityoffargo.com.

Appendix A: Residential Gardening in Regional Jurisdictions

Bismarck, ND

Residents cannot plant in the sight triangle*. Also, vegetation must be higher than eight feet (like a tree) or lower than eight feet for people to back out of driveways safely. Boulevard gardening is not addressed in city ordinance besides no gravelling in the boulevard.

*the triangle formed by measuring from the point of intersection of the two (2) property lines a distance of twenty-five (25) feet in both directions along the street right-of-way lines and connecting the points to form a sight triangle on the area of the lot adjacent to the street intersection

Duluth, MN

The only restriction on front yard gardening is on front yard fence height (four foot maximum). Although there is no written policy, boulevard gardening is allowed as long as it does not interfere with the city sidewalk. Residents are supposed to receive verbal permission. They do not allow residents to use large rocks for landscaping, because they can damage snow plows.

Grand Forks, ND

No front yard gardening restrictions. Boulevard gardening is not allowed.

Lincoln, NE

No front yard gardening restrictions. As to boulevard gardening, residents are not allowed to have any vegetation higher than two feet six inches near the curb or pavement or in the sight triangle to keep driving views unobstructed. Only approved trees can be planted in this area, and vegetation may not extend over the sidewalk, curb, driveway, or

Mankato, MN

No residential gardening restrictions. Boulevard gardening is not allowed unless approved by the city and approval is rare.

Rochester, MN

No front yard gardening restrictions. Boulevard gardens are not allowed. Should a resident like to plant anything on the boulevard, they must apply for a Natural Landscape Permit. Generally, the city likes to keep the boulevard clear so not many of these permits are approved.

Sioux Falls, SD

No restrictions for backyard gardens. In front yard, must have 90% "living ground cover." The Planning Department usually tells people that as long as something is growing, it is acceptable. Boulevards are to be maintained by residents; they are limited to "sod, seed or other living ground cover approved by the city" (§96.010 Right-of-way Landscaping). Additionally, fences or plants three feet in height above the street grade cannot be planted within ten feet of the curb line to prevent vision obstruction (§160.158 Driveway Safety Zone).

Appendix B: Example Ordinances

Des Moines, IA

ARTICLE VII. - GARDENS AND PLANTS ON CITY-OWNED RIGHT-OF-WAY AND CITY PROPERTY Sec. 74-201. - Garden leases.

- (a) Persons or entities desiring to plant or place flowers, plants, or shrubs in a permanent structure on any city right-of-way or city real property shall execute a garden lease which identifies all areas of the proposed planting or placement, and shall abide by the terms of such lease, including insurance and indemnification responsibilities, if any, established by the city risk manager. Persons or entities executing a garden lease shall be exempt from the permit requirements of section 102-660 of this Code.
- (b) The garden lease shall be denied if such plantings or placement is likely to create a public danger or nuisance or would be harmful to existing trees, shrubs, flowers, plants or facilities, as determined by the city engineer.
- (c) For purposes of this article, city right-of-way means the surface and space above and below any public street, boulevard or sidewalk, but does not include the border area as defined in section 102-1 of this Code and governed by section 102-2 of this Code.
- (d) Persons or entities desiring to maintain city property that abuts their property or is located on neighboring property shall execute a lease which shall set forth the duties associated with the use of the property. (0.14,314, 14,366)

Sec. 74-202. - Administration.

The park and recreation director shall be responsible for the administration of the garden leases. The director of the park and recreation department, or his or her designee, is authorized to execute garden leases on city right-of-way and other city real property on behalf of the city and may delegate any or all of his or her duties under this article.

Toronto, Ontario, Canada (pop. 2.6 million)

Below is an excerpt to the City's front yard landscaping bylaw. Vegetables are included. They have also promoted growing food anywhere in the city except near a major arterial road. This has been done by creating a Guide for Soil Testing and several Guides to Growing and Selling Fruit and Vegetables.

Section 7 – R1 Residential Zone (R1) of Zoning By-law No. 1-83 of the former City of York, as amended, is further amended by adding the following new subsection to subsection (3):

- "(q) Front Yard Landscaping and Front Yard Soft Landscaping The following front yard landscaping and front yard soft landscaping provisions shall apply to a detached dwelling house:
 - (i) For lots with a frontage less than 6 metres, the front yard not covered by a permitted driveway shall be maintained as landscaping.
 - (ii) For lots with a frontage of 6 metres to less than 15 metres, a minimum of 50% of the front yard shall be maintained as landscaping.
 - (iii) For lots with a frontage of 15 metres and greater, a minimum of 60% of the front yard shall be maintained as landscaping.
 - (iv) A minimum of 75% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.
 - (v) For the purpose of this subsection, landscaping means trees, shrubs, grass, flowers, vegetables, and other vegetation, decorative stonework, walkways, patios, screening, or other horticultural or landscapearchitectural elements, or any combination of these. Landscaping does not include driveways or parking areas, and directly associated elements such as curbs or retaining walls.
 - (vi) For the purpose of this subsection, soft landscaping means trees, shrubs, grass, flowers, vegetables, and other vegetation, but does not include hard surfaced areas such as but not limited to driveways, parking areas, decorative stonework, walkways, patios, screening, or other landscape-architectural elements."

St. Paul, MN (pop. 294,873)

Chapter 105. - Care and Maintenance of Boulevards

Sec. 105.04. - Boulevard planting.8

Purpose.

It is the purpose and intent of the city to allow property owners to plant and maintain the boulevard areas adjoining their property in a manner which enhances and improves the aesthetic appearance of city streets, avenues and alleys.

Definitions.

- Boulevard shall mean the public right-of-way lying between the property line and sidewalk, and between the sidewalk and the roadway, or where no sidewalk exists, between the property line and the roadway.
- Boulevard plantings shall mean plantings that do not meet the definition of boulevard rain garden.
- Boulevard rain garden shall mean a landscaped depressed area that can hold stormwater runoff from impervious surfaces while it infiltrates into the soil below.
- *Drip line* shall mean an imaginary vertical line that extends from the outermost branches of a tree's canopy to the ground.
- Noxious weeds shall mean the annual, biennial and perennial plants which are deemed by the commissioner of agriculture to be injurious to public health, environment, public roads, crops, livestock and other property, as set forth in Minn. Rules 1505.0730, including but not limited to: Convolvulus arvensis (field bindweed), Cannabis sativa (hemp), Rhus radicans (poison ivy), Euphorbia esula (leafy spurge), Sonchus arvensis (perennial sow thistle), Cirsium vulgare (bull thistle), Cirsium arvense (Canada thistle), Carduus nutans (musk thistle) and Carduus acanthoides (plumeless thistle).

Plantings permitted.

A property owner in the city shall be permitted to plant, care for and maintain gardens on the boulevards adjacent to their property, subject to the restrictions set forth below.

- (1) Boulevard rain gardens shall be registered as described in <u>chapter 116</u> and authorized by the department of public works prior to construction, except for those authorized as part of a city street reconstruction project. Rain gardens that impact existing boulevard trees or the area within the drip line shall be reviewed and approved by the department of parks and recreation-forestry.
- (2) Boulevard rain garden slopes shall not exceed twenty-five (25) percent, the bottom depth shall not exceed six (6) inches below the elevation of adjacent hard surface, and there must be a two-foot wide level grass strip between the adjacent hard surface and top of slope. Excavations shall not occur within the drip line of boulevard trees.
- (3) Plantings may not exceed thirty-six (36) inches in height. Plantings within thirty (30) feet of any intersection as measured from the property line; or within five (5) feet of any alley, or driveway approached as measured from the end of the radius or within five (5) feet of a public utility fixture may not exceed eighteen (18) inches in height. Plantings shall be limited to eighteen (18) inches in height within ten (10) feet of the curb on street sections that do not have parking lanes, or on street sections or portions of street sections where "rush hour or 24-hour no parking" restrictions apply.
- (4) Plantings must be maintained in such a way that there is no overhang or encroachment onto the sidewalk, curb or street area.
- (5) Plantings may include flowers, vegetables and other plants, but in no event shall any noxious weed be planted or maintained.
- (6) No herbicides, pesticides and/or fertilizers may be used in the maintenance of gardens under this section without written approval of the city forester, which approval shall contain the type and amount of said herbicide, pesticide and/or fertilizer which is permitted.

⁸ St. Paul, Minnesota code of ordinances. Chapter 105. - care and maintenance of boulevards section 4. [accessed 28 November 2016]

https://www.municode.com/library/mn/st. paul/codes/code of ordinances?nodeId=PTIILECO_TITXIISTSIBROTPUWA_CH105CA_MABO_S105.04BOPL

(7)	No garden shall be planted on the boulevard without written documentation that the property owner has contacted "Gopher State One Call" for utility locations forty-eight (48) hours before digging, and has planr plantings which will not interfere with said utilities.		

Appendix C: Plant Examples for Boulevard Gardening9

Common Name	Height	Uses
Daffodil	6-24"	Perennial for front yard or boulevard
Daylily	1-3'	Beneficial for butterflies, boulevards
Blazing Star	2-5'	Drought tolerant, beneficial for pollinators, boulevards
Common Yarrow	12-30"	Good for boulevards as alternative to grass border
Pussy Toes	6"	Good for boulevards as alternative to grass border
Sedum	2-3", spreading	Good for boulevards as alternative to grass border
Thyme	2-5"	Good for boulevards as alternative to grass border
Dianthus	10-20"	High salt tolerance
Hosta	11-18"	Moderate salt tolerance
Bee Balm	<10" for dwarf varieties	Beneficial for pollinators and in rainwater gardens

⁹ The Best Plants for 30 Tough Sites. University of Minnesota Extension. 2007. URL: http://www.extension.umn.edu/garden/yard-garden/landscaping/best-plants-for-tough-sites/docs/08464-complete.pdf

ISSUE BRIEF: THE INTERSECTION OF FOOD AND REAL ESTATE1

Food plays an integral role in communities, and real estate decisions play a strong role in shaping the way people access, purchase, and experience food. In recent decades, many developers are learning that incorporating opportunities for residents to grow, purchase, and consume food within the context of a development project not only provides environment, health and social benefits, but can also be economically important. Additionally, public officials are recognizing the value of food-centered developments to create healthy, vibrant communities, and they are modifying zoning laws to allow for these developments.

What are the Potential Benefits for Food Real Estate Developments?

In recent years, U.S. residents have shown increasing awareness of, and demand for, high-quality foods that are consistent with a healthy lifestyle. This shift in preferences has consequences for the real estate industry looking to market to this growing interest, as well as communities looking to attract and retain young people.

Food related real estate developments have the opportunity to create a sense of attachment to development projects and establish a unique identity for a community, therefore adding value and fostering stronger community social ties. Additionally, health outcomes (overweight and obesity, reduced risk of chronic diseases, etc.) may be improved by increasing access to healthy food options, particularly in low-income areas, as well as by incorporating amenities such as wellness clinics, food coops, and nutrition and cooking education programs. Certain food related projects also preserve valuable farmland, thereby increasing food security and community resilience. Finally, food-centric real estate projects create the ability to grow, produce, distribute and dispose of foods in a small geographic area, therefore creating a controlled food system that is nimble to address issues like food waste, climate change, and environmental stresses.

Types of Food Real Estate Developments

There is a diverse range of food-related development projects, and they produce unique community features, as well as a variety of positive outcomes. Developments generally fall within these broad project-types:

- Agrihoods: Single-family, multifamily, or mixed-use communities built with a working farm as a focus:
- **Food-centric residential developments:** Single-family or multifamily developments built around community gardens or restaurants, with a strong food identity;
- Next-generation urban markets: Food halls that are employing innovative food sourcing concepts to encourage food entrepreneurship, growing community, and support other components of mixed-use developments;
- Food-centered retail and mixed-use development: Mixed-use and retail projects with restaurants and food stores as central development components;

¹ Urban Land Institute. Cultivating Development: Trends and Opportunities at the Intersection of Food and Real Estate. Washington, D.C.: Urban Land Institute, 2016.

- Food hubs and culinary incubators: Regional processing and distribution centers that give foodbased entrepreneurs access to commercial kitchen space, connect them to retail and institutional customers, or both; and
- Innovations and Innovators: Policies, approaches, and investors that are promoting sustainability, healthy food access and economic development.

Examples of Food Real Estate Projects in the United States

There are a multitude of innovative projects across the U.S. that are highlighting food as the selling point for developments. This issue brief feature Serenbe in Atlanta, GA and Summers Corner in Summerville, SC, both of which feature working farms.

SERENBE

Chattahoochee Hills, Georgia (Atlanta suburb)

Senebe is a 1,000 acre residential community that currently includes 200 homes (single family, multifamily, and live/work units), commercial and art spaces, and three restaurants. It eventually plans for a total of 1,200 residents. The development hosts a variety of food-based amenities, including a 25-acre organic farm that



produces over 60,000 pounds of produce each year, a Saturday farmers market, community-supported agriculture (CSA) program, public farm tours, and edible landscaping. In order for Serenbe to come to life, a number of local zoning laws had to be rewrote to allow for high-density residential hamlets within walking distance of community and commercial centers. By increasing density to allow for 20% more residential units than what is typically allowed with traditional development practices, Serenbe preserved 70% of developable land for agriculture and open space. Regarding the financial success of Serenbe, president and founder Steve Nygren notes: "Our development is financially successful, but more essentially, we measure success in terms of the well-being of our residents and by our ability to teach area youth about topics like the seasonality of local produce."

http://serenbe.com/

SUMMERS CORNER

Summerville, South Carolina

Envisioned as a "community in a garden" Summers Corner is a 6,435 acre master-planned community in



Summerville, S.C with 400 homes. The development includes a community garden as a feature amentity, walking/biking trail system, demonstration gardens, and an outdoor market. The developer, WestRock Land and Development, worked with Clemson University to house its Extension Service - Master Gardener program at Summers Corner, which gives the public and residents the opportunity to learn about South Carolina gardening, food growing, and soil testing from certified Master Gardeners. The community is also home to a cafe which serves breakfast, lunch, and organic beer and wine, and features seasonal items from the Kitchen Garden, which is planted and tended by Master Gardeners. http://www.summerscorner.com/

This issue brief was based on information found in *Cultivating Development: Trends and Opportunities at the Intersection of Food and Real Estate*, a 2016 report from the Urban Land Institute that explores the challenges, trends and opportunities for real estate and development presented by food. To read the full report, visit https://uli.org/report/cultivating-development-trends-opportunities-intersection-food-real-estate/

Attachment 4b

Apartment Living and Urban Agriculture in Fargo/Moorhead

As of 2015, there were over 42,000 renter households in the Fargo/Moorhead area.1 With over 24,000 units in Fargo alone, these units represent over half of the total housing units in the community.2 As urban agriculture and food systems awareness increase, it is important that everyone has access to opportunities to grow their own food. Through community gardens in the Fargo/Moorhead area, residents are able to rent out plots in exchange for volunteer hours or cash and grow their own food within city limits. This opportunity not only increases food access, it also builds community and allows residents to become more connected with their neighbors and food systems.

There are currently more than ten community gardens in Fargo/Moorhead offering plots ranging from 8' x 15' at Cooper Community Garden near Downtown Fargo, to 20' x 30' at Probstfield Community Garden in North Moorhead. Growing Together is an organization that manages five gardens in the area and targets food access for New American families. Plots are typically larger to promote shared space, partnership, and community. There is no monetary cost to participating in the Growing Together plots, but rather suggested volunteer time, allowing them to serve over 100 families.

Another option for apartment dwellers interested in growing food is to live in urban residences or apartments designed around urban agriculture. In Staten Island, New York, a 571 apartment rental building operated by Urby encompasses a 5,000 sq. ft urban farm (top photo). The farmer in residence lives in the building and receives a modest salary for her work providing food to residents and food pantries.3

Alternatively, Stack House, a LEED Platinum apartment building has a 1,000 sq ft rooftop garden (bottom photo) operated by Seattle Urban Farm Company in Seattle, Washington. Planting is managed and developed by the Seattle Urban Farm Company staff, and "work parties" are monthly opportunities for residents to help maintain the garden.4 The Plant in Toronto, Canada is an apartment dwelling that provides residents with patio gardens, hydroponic growing setups in their apartments, a greenhouse, and food focused programming.5





¹ Housing and Urban Development. 2015. https://www.huduser.gov/publications/pdf/FargoND-MN comp 15.pdf

² https://www.cityoffargo.com/Residential/Housing/Renting/

³ https://www.nytimes.com/2017/03/10/realestate/a-staten-island-urban-farmer.html

⁴ http://www.seattleurbanfarmco.com/stack-house-apartments/

⁵ http://www.archdaily.com/867594/torontos-urban-farming-residence-will-bridge-the-gap-between-housing-and-agriculture

Attachment 5a





What is Gleaning?

- EPA: "collection of crops from farmers' fields that have already been mechanically harvested or where it is not economically or logistically feasible to field harvest... can also include the collection of already harvested food at packing sheds"
- **USDA:** "the act of collecting excess fresh foods from farms, gardens, farmers markets, grocers, restaurants, state/county fairs, or any other sources in order to provide it to those in need"







General Gleaning Process (field and backyard)

- Field or tree donor applies online
 - Location
 - Type of produce
 - Estimated harvest times and yield
- Volunteers sign up online
 - Sign up for specific date
 - Notified when produce is ripe
- Liability waivers are completed
- Volunteers and coordinator meet at site to harvest
- Produce is transported to donation site



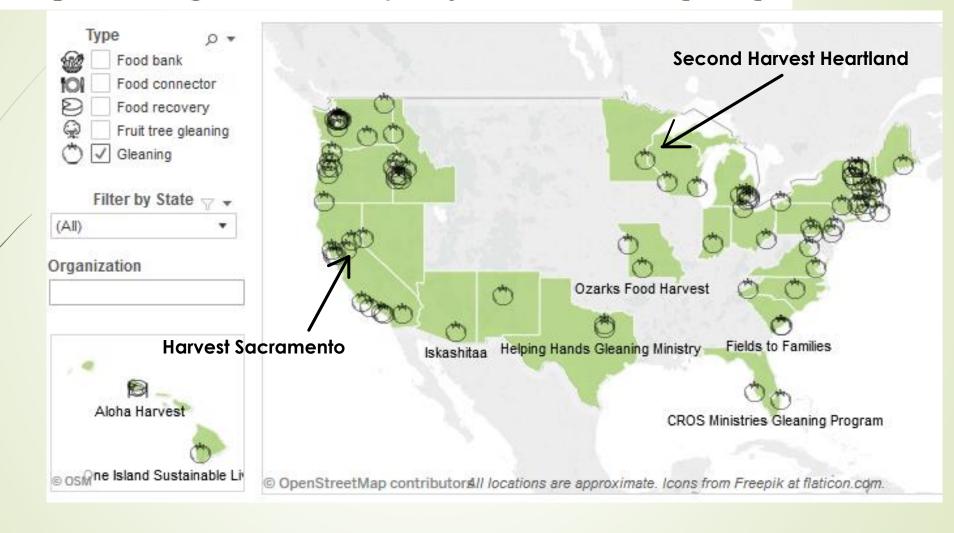








Gleaning: includes organizations whose primary mission/work is field gleaning.



http://forms.vermontlaw.edu/farmgleaning/GleaningOrgs.cfm

Food Waste

- Up to 40% of food in the U.S. is uneaten
- Losses at the farm level
 - Never harvested
 - Lost between harvest and sale

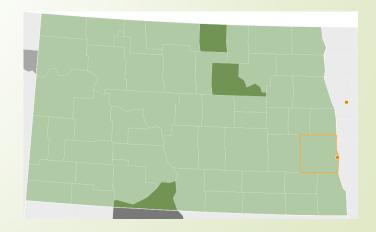


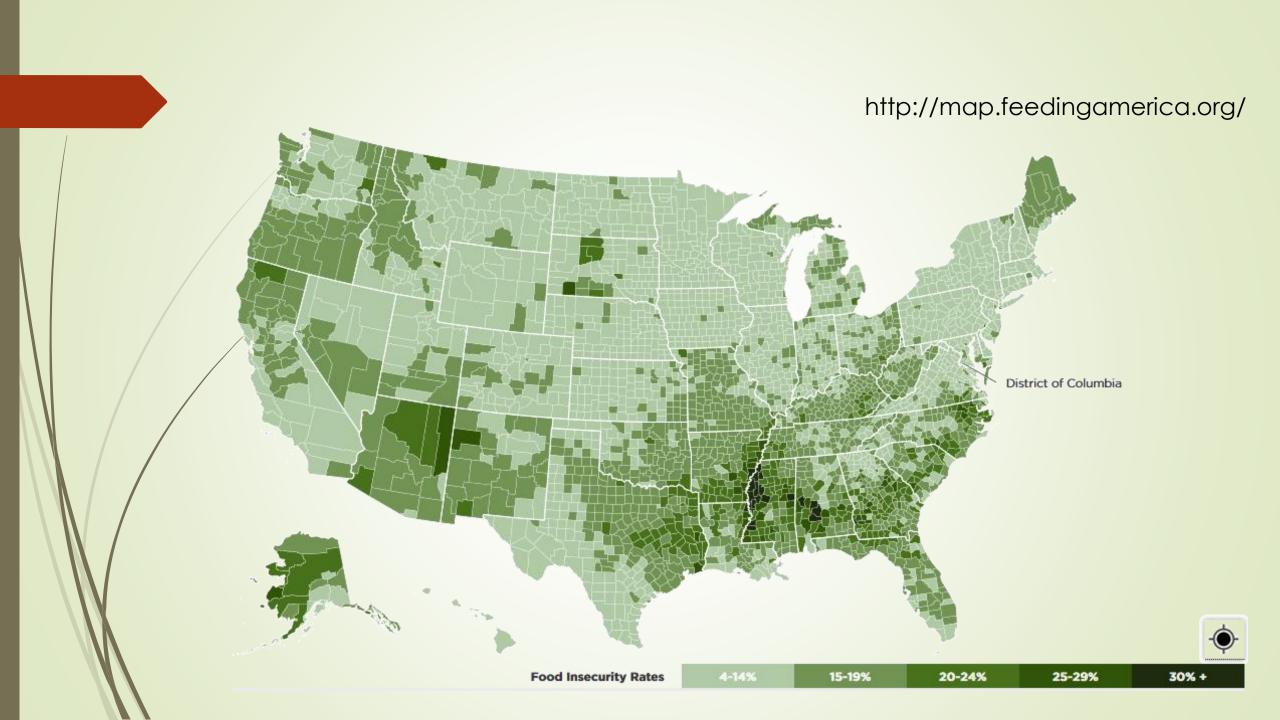




Food Insecurity

- 9.6 % food insecurity rate in Cass County (2014)
- 8.0 % food insecurity rate in North Dakota (2014)
- 15.4 % food insecurity rate in United States (2014)





Food Recovery

- Field gleaning
- Wholesale produce salvage
- Perishable and prepared food rescue
- Non-perishable food donations, collection, and recovery
- Only about 10% of available, edible wasted food is collected

Regulations

- Federal and state
- Volunteer Protection Act
- Bill Emerson Good Samaritan Food Donation Act
- Noninsured Crop Disaster Assistance Program
- Charitable, etc., contributions and gifts
- Federal food donation tax deduction if donated to a 501c3 nonprofit
- ... and more

Benefits from Gleaning

- Building healthy communities
- Increased consumption of local foods
- Increased physical activity
- Reduction of food waste
- Reduction of greenhouse gases
- Increased intake of fresh produce
- Improved access to healthy foods



Risks from Gleaning

- Injuries to volunteers
- Damage to private property
- Food safety violations
- Extreme heat



Harvest Sacramento

https://soilborn.org/initiatives/harvest-sacramento/

- Orientation required for all volunteers
- 1 harvest group leader for group of 5-10 volunteers
- Tree donors apply online
- Age requirements for volunteering
- Liability waivers
- Funding via donations and discounts
- Donate produce to food banks or leave outside public buildings
- Facebook page: Harvest Sacramento













https://www.facebook.com/HarvestSac/

Second Harvest Heartland

http://www.2harvest.org/



- St. Paul, MN
- Runs from July through October
- Accepts monetary donations (\$1.00 provides 3 meals)
- Delivers to food shelves, soup kitchens, and other agency partner programs in the region
- Volunteers each drive themselves to location
- Ages 12+
- "Farm to Foodshelf" grant helped source and distribute
 5.3 million pounds of fresh food throughout Minnesota in its first year



https://www.facebook.com/pg/2harvest/photos/?ref=page_internal

















Society of St. Andrew http://www.endhunger.org/

- Backyard, orchard, and field gleaning
- Gathers 1-2 million pounds of produce in Florida each year
- Gleaning event calendar on website
- Produce donated to food pantries, food banks, low-income and elderly housing complexes, social service agencies, group homes, homeless shelters, and rehab facilities
- 32,000 volunteers donated 28 million pounds in 2015
- Gleaning Guides on website







http://endhunger.org/ photos-gn/#













Produce in Demand (ND)

- Beans
- Beets
- Carrots
- Cucumbers
- Onions
- Peas
- Peppers
- Tomatoes
- Watermelon



https://www.nd.gov/ndda/program-info/local-foods-initiative/hunger-free-nd-garden-project

Donation Sites in Cass County

https://www.nd.gov/ndda/files/resource/HungerFreeParticipantList.pdf

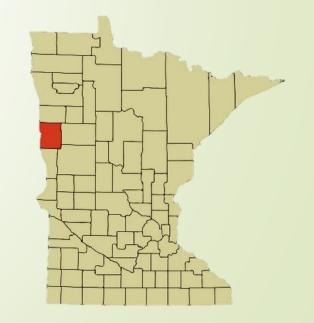
- Will accept produce donations:
 - CHARISM
 - Alternative Care Services
 - Faith Food Ministry
 - YWCA of Cass County
 - Dakotah Foundation Next Step
 - Gladys Ray Shelter and Veterans Drop-in Center
 - Emergency Food Pantry
 - Stepping Stone Resource Center- Fraser Ltd.
- Great Plains Food Bank
 - Assesses needs of other food pantries in area



Donation Sites in Clay County

https://www.nd.gov/ndda/files/resource/HungerFreeParticipantList.pdf

- Will accept produce donations:
 - Dorothy Day Food Pantry
 - A Place for Hope
 - Bridge Pointe Community



Barriers to Success

- Relatively short harvest season
- Weather
- Reliance on volunteers and donors
- Funding for tools
- Transportation costs
- Organizing group when produce is ripe
- Matching donated food to the needs of the community

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Gleaning

This issue brief will provide background information related to gleaning and address the common concerns and benefits from a health, environmental, social, and economic standpoint. Appendices have been provided to share how regional jurisdictions are managing gleaning, example policy language from other jurisdictions, as well as a listing of current food donation locations in the Fargo-Moorhead metro area.

Background

Over 1.3 billion tons of food - one third of the entire food supply - are wasted across the globe annually, affecting not only the economy to the tune of \$250 billion, but also harming the environment. Producing food that doesn't reach our plates takes the same amount of resources of that which does. It is estimated that food waste is responsible for 35 million tons of greenhouse gasses per year, 25% of all freshwater use, and 300 million barrels of wasted oil annually.1

Simultaneously, about 49 million people are at risk of going hungry.² Food insecurity affects 15.8% of people nationally, meaning they do not have sufficient access to healthy, nutritious, and affordable food. The rate of food insecurity in North Dakota is 8%, and is 9.6% in Cass County.³ One way to bridge this divide is through gleaning - the "act of collecting excess fresh foods from farms, gardens, farmers markets, grocers, restaurants... in order to provide it to those in need."⁴ Gleaning networks are springing up all across the country in rural and urban areas with a mission to increase food access and reduce the amount of food deserts in our communities. This coordination between volunteers, business owners, farmers, shelters, and food pantries provides a vital resource to those who are hungry.

Food and resources can come from a variety of places. The Environmental Protection Agency produced a Food Recovery Hierarchy which displays the most efficient ways to reduce food waste (Figure 1).5 This hierarchy begins on the production level, but second to that is donating excess food to those who need it. Networks of volunteers can collect food from farms and places of sale (i.e. grocery stores, farmer's markets, etc.) for appropriate distribution. These volunteers and donors are protected by the Federal Bill Emerson Good Samaritan Food Donation Act, which encourages food donation by protecting donors from liability when donating to a non-profit for distribution to individuals in need.6 The biggest barrier for the success of gleaning networks is the ability for



¹Payne, Kyra. "The Consequences of Food Waste." Inquiries Journal. 2014. http://www.inquiriesjournal.com/articles/890/the-consequences-of-food-waste

^{2 &}quot;Let's Glean: United We Serve Toolkit." United States Department of Agriculture.

^{3 &}quot;Food Insecurity in the United States" Feeding America. 2017. http://map.feedingamerica.org/

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^{5 &}quot;Food Recovery Hierarchy." United States Environmental Protection Agency. 2017. https://www.epa.gov/sustainable-management-food/food-recovery-hierarchy

^{6 &}quot;Federal Bill Emerson Good Samaritan Food Donation Act." Feeding America. 2017. http://www.feedingamerica.org/ways-to-give/give-food/become-a-product-partner/protecting-our-food-partners.html?referrer=https://www.google.com/

businesses to get the food to those in need. Large, dedicated networks of volunteers are needed to properly allocate that food.

Further, gleaning networks are at work in farmer's fields across the country, collecting imperfect, damaged, or otherwise neglected produce for donation to food pantries, shelters, and other establishments that can provide food to the hungry. The Society of St. Andrew connects farmers to gleaning networks across the United States. In 2015 they collected over 25.5 million pounds of produce from "spent" fields in Minnesota and North Dakota and distributed that food to shelters and hungry people around the states.

Tax incentives for farms and businesses are also available to encourage food donation. In 2015, the PATH Act was passed providing companies with enhanced incentives for donating extra food, including enhanced tax deductions, increasing charitable contributions caps, defining a fair market value for food, and more (Donation centers in the Fargo Moorhead area can be found in Appendix C).8 In Los Angeles County, California, the Los Angeles Food Policy Council actively advocates for food recovery projects by providing resources for the community. On the county's public health website (publichealth.lacounty.gov), gleaners can find information about organizations that rescue food, liability information, and more. Further, the food policy council promotes food recovery through a food recovery working group whose mission is to "Eliminate the one million tons of food waste that is sent to LA's landfills every year through policy strategies that address the recovery of food resources for consumption (source reduction and improving food security), livestock feed, energy and compost, while supporting high environmental, social and worker standards and our local urban farms and soils." California also provides incentives for food recovery through tax deductions and incentives, as described in Appendix B.

Local jurisdictions have the ability to promote food recovery through policies such as the tax incentives in California, but also in other ways. Through partnerships with local food recovery organizations, communities can create accessible maps, volunteer guides, workshops, and other resources for community members to meet food recovery goals for their jurisdictions.

Table 1. Summary of gleaning legislation in local jurisdictions

Moorhead	Dilworth	Clay County	Fargo	West Fargo	Cass County
Not addressed					

^{7&}quot;Food Distribution Report." Society of St. Andrew. 2015. http://endhunger.org/distribution-report/
8"United States Tax Benefits" Food Donation Connection. 2015. http://www.foodtodonate.com/Fdcmain/TaxBenefits.aspx
9"Food Resources Recovery Working Group." Los Angeles Food Policy Council. 2017. http://goodfoodla.org/policymaking/working-groups-2/food-resource-recovery-working-group/

Table 2. Framework for evaluating gleaning

DOMAIN	BENEFIT	CONCERN
Health	Increased access to fresh, healthy, local food Increased physical activity	Risk of foodborne illness Risk of injury to volunteers
Environment	Reduction of greenhouse gasses produced in food transportation	
Social	Connecting consumers with farmers to reduce hunger in a community Creating places for people to connect through an organized volunteer network	Potential for damage to private property Gleaning networks rely on volunteers
Economic	Reducing food waste Tax incentives for farmers and businesses Increasing food access to those in need	Potential for lost revenue for farms and businesses with donation Cost of liability insurance for farmers

Resources

If you have questions, please contact Kim Lipetzky with the Fargo Cass Public Health Office at 701-241-8195 or klipetzky@cityoffargo.com.

Appendix A: Gleaning in Regional Jurisdictions 10

Minnesota

MINN. STAT. § 604A.10 (1998).

Title: Liability of food donors. This law protects a food manufacturer, distributor, processor, or a person who donates food to "the state, a political subdivision, an institution or facility operated by the state or a political subdivision," or nonprofit charitable organization, and a food bank or nonprofit charitable organization that collects, receives, and distributes such donated food at no charge, from liability for any injury arising out of the condition of such food, except in cases of gross negligence, recklessness, or intentional misconduct.

North Dakota

N.D. CENT. CODE § 19-05.1-03 (1983).

Title: Charitable or nonprofit organization liability for injury. This law protects a charitable or nonprofit organization that receives or distributes food at no charge from criminal or civil liability for injuries resulting from the condition of the food, except in cases of gross negligence or willful conduct.

N.D. CENT. CODE § 19-05.1-02 (1983).

Title: Donor or gleaner liability for injury. This law protects a donor or gleaner who donates any perishable food to a charitable or nonprofit organization for free distribution from criminal or civil liability for injuries arising from the condition of the food, except in cases of negligence or willful conduct.

N.D. CENT. CODE § 50-06-35 (2009).

Title: Department of human services food assistance contracts. This law provides that the North Dakota Department of Human Services can "contract with a statewide charitable food recovery and distribution organization to develop and implement new methods of delivering charitable food assistance services in underserved counties." The law includes additional provisions that the Department can implement in regards to expanding food recovery in the state.

Nebraska

NEB. REV. STAT. § 25-21,189 (1989).

Title: Food; donations; limitations on liability. This law protects any person who donates any prepared or perishable food or raw agricultural products to a charitable or nonprofit organization, and a charitable or nonprofit organization that receives and distributes such food without charge, from civil liability for any injury or death arising from the condition of such food, except where the injury directly results from in cases of gross negligence, recklessness, or intentional misconduct of the donor. A charitable or nonprofit organization that receives and distributes such food without charge is relieved from civil liability based on the theory of strict liability unless the injury directly results from gross negligence, recklessness, or intentional misconduct of the organization.

^{10&}quot;The National Gleaning Project." Vermont Law School. http://forms.vermontlaw.edu/farmgleaning/indexnew.cfm?id=cat&&no=2

South Dakota

S.D. CODIFIED LAWS § 39-4-22 (1981).

Title: Donation of food--Immunity from civil and criminal liability. This law protects a donor or gleaner who donates any perishable food to a charitable or nonprofit organization for free distribution from criminal or civil liability for an injury arising from the condition of the food, except in cases of gross negligence, recklessness, or intentional misconduct.

S.D. Codified Laws §39-4-23 (1981)

Title: Liability for receipt of perishable food by charitable organization. This law protects charitable or nonprofit organizations that receive and distribute food at no charge from criminal or civil liability from injury resulting from the condition of the food unless the injury results from gross negligence, recklessness or intentional conduct.

Appendix B: Example Ordinances₁₁

California

CAL. CIV. CODE § 846.2 (1988).

Title: Invitees on land to glean food for charitable purposes; limited immunity. This law protects an owner, tenant, or lessee who allows gleaning of "agricultural or farm products for charitable purposes" from liability for any person who is injured on the land while gleaning, except in cases of gross negligence or willful and wanton misconduct. Further, the immunity "does not apply if the owner, tenant, or lessee received any consideration for permitting the gleaning activity."

CAL. FOOD & AGRIC. CODE § 49001 (2015).

Title: Creation of Office. This law establishes the Office of Farm to Fork to work with organizations "involved in promoting food access to increase the amount of agricultural products available to underserved communities and schools in this state," including the agricultural industry, nonprofits, academic institutions, and local, state, and federal government agencies. The Office, in part, will provide assistance for collaboration among farmers, food banks, agencies, and nonprofits in the "gleaning, collection, and distribution of agricultural products for the purposes of reducing hunger and increasing access to healthy foods."

CAL. FOOD & AGRIC. CODE § 58503 (1977).

Title: Surplus food collection and distribution centers. This law allows the board of supervisors of any county to establish a surplus food collection and distribution system and a 24-hour information and food collection center. The center would provide information to connect where agricultural products are available and what organizations need such donated agricultural products and for "collecting, receiving, handling, storing, and distributing donated agricultural products."

CAL. FOOD & AGRIC. CODE § 58505 (1977).

Title: Liability for injuries; counties or donors. This law protects any county, county agency, or person who donates any agricultural product from liability for any injury in connection with such donated product, except in cases of gross negligence or willful act.

Cal. Food & Agric. Code § 58505-6 (1977)

Title: Donations of Food. This law protects anyone who engages in selling, distributing or processing agricultural products and donates those products free of charge from liability from injuries resulting from the donated product except where the injury results from gross negligence or a willful act. This law does not protect non-profit charitable organizations from liability for injury.

CAL. HEALTH & SAFETY CODE § 114376 (2015).

Title: Community food produces or gleaners; authority to directly sell or provide whole uncut fruits or vegetables or unrefrigerated shell eggs; requirements; registration. This law authorizes a community food

¹¹ The National Gleaning Project." Vermont Law School. http://forms.vermontlaw.edu/farmgleaning/indexnew.cfm?id=cat&&no=2

producer or a gleaner to "sell or provide whole uncut fruits or vegetables, or unrefrigerated shell eggs, directly to the public, to a permitted restaurant, or a cottage food operation," if the community food producer meets all of the specified requirements within the statute and any additional requirements adopted by a local jurisdiction.

CAL. HEALTH & SAFETY CODE § 114376.5 (2015).

Title: Operations inspections of community food producers or gleaners in response to a food safety recall or food safety complaint; costs; cease and desist orders; penalties for violations of Section 114376. This law authorizes an enforcement officer to inspect the operations of a community food producer or gleaner in response to a food safety recall or complaint and to issue the appropriate order for any violations.

CAL. REV. & TAX. CODE § 17053.12 (1996).

Title: Donated agricultural products; credits for transportation costs. This law allows a tax credit for a taxpayer who transports any donated agricultural product in accordance with the Food and Agricultural Code, of an "amount equal to 50 percent of the transportation costs paid or incurred by the taxpayer in connection with the transportation of that donated agricultural product."

CAL. REV. & TAX. CODE § 23608 (2000).

Title: Donated agricultural products; credits for transportation costs. This law allows a tax credit for a taxpayer who transports any donated agricultural product in accordance with the Food and Agricultural Code of an "amount equal to 50 percent of the transportation costs paid or incurred by the taxpayer in connection with the transportation of that donated agricultural product." The law also provides additional provisions in regards to the above tax credit.

Appendix C: Food Donations Centers in Fargo-Moorhead₁₂

North Fargo/Downtown

FACILITY	CONTACT	PHONE	ADDRESS	EMAIL	DROP OFF TIMES	SPECIAL INSTRUC- TIONS
Connection Food Pantry	Loida Mance	701-429- 4779	909 19 th Ave N Fargo, ND 58102	loida.mance @yahoo.com	Fridays 1- 3pm	
Peace Lutheran Church	Betty Patterson	701-235- 2494	1011 12 th Ave. N Fargo, ND 58102	betty.patterso n@ndsu.edu	Monday- Thursday 9am-4pm Fridays 9am- 12pm	
Tri-city Haitian Ministry	Paul Aladin	701-540- 1383	730 27 th St N Fargo, ND 58102			Call before delivering to set up a time.
St Anthony's Church	Deacon Stuart Longtin	701-237- 6063	710 10 th St. S. Fargo, ND 58103		Monday- Friday morning	Call ahead to make sure someone is there to receive it.
Emergency Food Pantry	Linda Clark and Greg Diehl	701-237- 9337	1101 4 th Ave N Fargo, ND 58102	fmfoodpantry @gmail.com; greg@emerg encyfoodpantr y.com	Monday- Friday 8am- 12pm and 1pm-4pm	Come to side door by garage door by the sign that says "Donations"
Salvation Army	Cassidy	701-356- 2687	304 Roberts St. S Fargo, ND 58102	cassidy.bellan d@usc.salvati onarmy. org		Go to Back door (westside) downstairs (outside).

 $^{12\} Fresh\ Produce\ Donation.\ City\ of\ Fargo.\ \underline{https://www.cityoffargo.com/attachments/2a8bc241-6cbd-4de6-805bd8b140c010/Fresh%20produce%20donation%20list.pdf}$

Great Plains Food Bank/Daily Bread Program	JoAnn Matthews	701-232- 6219	1720 3 rd Ave N. Fargo, ND 58102	imatthews@ls snd.org	Monday- Thursday 8am-12pm, 1pm-5pm; Friday 8am- 12pm	Drop off by the loading dock for receiving.
Gladys Ray	Leah Siewert	701-364- 0116	1519 1 st Ave. S. Fargo, ND 58103	lsiewert@city offargo.com		Call before donating.
Diversity Development		701-412- 5525	612 23 rd St. S. Fargo, ND 58103			
Family Worship Center Food Pantry	Melodee Hooper	701-235- 0115	1419 17 th St. S Fargo, ND 58103	purfectharmo nee@aol.com	,	Call ahead for bigger donations.
New Life Center	Julie, head cook	701-235- 4453 Ext. 111	1902 3 rd Ave N Fargo, ND 58102		Serve meals daily noon and 5pm	Call ahead for bigger donations.
SENDCAA Food Pantry	Bonnie G.	701-232- 2452 Ext 123	3233 S. University Dr. Fargo, ND 58103	bonnieg@sen dcaa.org	By appointment only	Call ahead before donating.

South Fargo

FACILITY	CONTACT	PHONE	ADDRESS	EMAIL	DROP OFF TIMES	SPECIAL INSTRUC- TIONS
YWCA	Susan Hammel			g	Friday 8am- 5pm; Saturday-	Front door is locked on the weekends, but the intercom will let you in.

Moorhead Area

FACILITY	CONTACT	PHONE	ADDRESS	EMAIL	DROP OFF TIMES	SPECIAL INSTRUC- TIONS
Dorothy Day Food Pantry	Jim Manly	218- 284-8895	1308 Main Ave. Moorhead, MN 56560			
Permanent Supportive Housing	Kim Fritel	218- 284-3250	3048 18 th St. S Moorhead, MN 56560	ecare.org	Monday 9am- 12pm, Tuesday 8- 10am, Wednesday 8- 11am	
Gateway Gardens	Kim Fritel	218- 512-3100	1817 1 st Ave. N Moorhead, MN 56560	kfritel@creativ ecare.org	Wednesday 11am-3:30pm	
River Valley Church	Jack Henrichs		1716 Central Ave W Dilworth, MN 56529	irrichhen@gm ail.com		Call before to set up a time.
Churches United for the Homeless	Julio Villamil	218-236- 0372	1901 1 st Ave. N. Moorhead, MN 56560		-	donating large quantities.
REACH	Melissa Keith	218-483- 3145	421 5 th St. Hawley, MN 56549	@ruralenrichm ent.org	Monday - Thursday 8:30 am-5pm Friday 8:30am - 2pm	

Attachment 5c



Local Foods to Local People













Woodchuck Community Farm

Garden Season Volunteers

Community Gleaners

Farm Education



Donated Local Produce

Community Gleaners

Gleaning Coordinator

Platform for Connecting

Cooking & Basic Prep Education



Local Produce for Cafe

Cafe Volunteers

Neighborhood Associations

Preservation

Cooking & Basic Prep Education



Glean:

[gleen] (v)

to gather harvest from fields to feed a community

community partners feeding our people

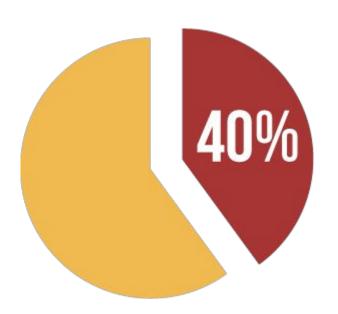
Attachment 6

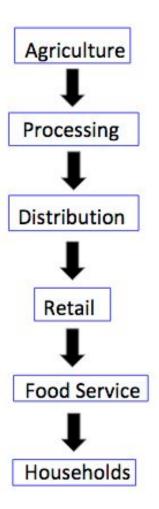
Reducing Food Waste

Abbie, Bailey, Drew

What is Food Waste?

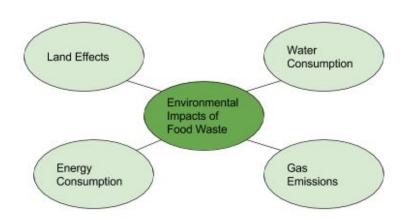
- 40% of food in the United States is wasted
- Food waste is apparent in every part of the food system

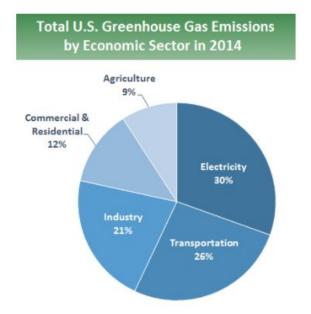




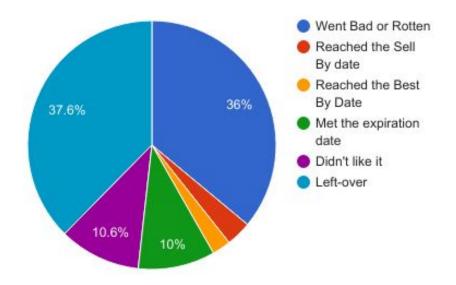
Impact - the 3 E's

Economics - Ethics - Environment





Our Findings



Average weight = 9.2 lbs/household

Average amount of waste in calories = 6226 cals.

Largest amount of weight wasted = 22.2 lbs.

Smallest amount of weight wasted = 4.1 lbs.

Largest amount of calories wasted = 13,401 cals.

Smallest amount of calories wasted = 2,829 cals.

Organizations in our Community

Great Plains Food Bank: Provides donation outlet for businesses

Ugly Foods of the North: Educates and networks within the community





Research and Setting a Goal

- USDA: Reduce food waste by 50% by 2030

Research Set a Goal Establish Objectives





City Campaign

Radio

Digital

Print Advertising

Park benches

Reusable Grocery Bag Campaign

PR activity

Cookery Classes

Other Various Community engagement

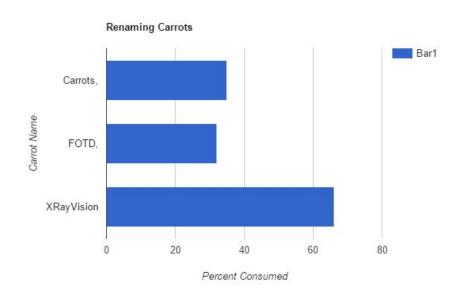


Projected Outcome: Reduction of 35% among households

Advocating for Changes in our Schools

- Extended Lunch Periods
- Renaming Foods
- Share Tables
- Student Awareness





Other Solutions

- City composting
- Policies to force all businesses to donate food waste
- Rewards for businesses who use locally grown food
- Incentives for farmers to harvest and sell all "ugly foods"



Thank you for your time

Questions?

Attachment 7

CASS CLAY FOOD COMMISSION SURVEY

Please select the best answers as they relate to your jurisdiction

1.	What type of Cass Clay Food Commission member a □ Elected Official □ At-Large Member	are	you?
2.	NOWLEDGE: When I first began my appointment on the Cass Clay derstanding of urban agriculture issues and practice		
	Very Knowledgeable		Slightly Knowledgeable
	Knowledgeable		No Knowledge
3.	I would say my current understanding of urban agric	ult	ure issues and practices is:
	Very Knowledgeable		Slightly Knowledgeable
	Knowledgeable		No Knowledge
<u>IM</u>	PORTANCE:		
	When I first began my appointment on the Cass Clay sues discussed were:	/ Fc	ood Commission, the food and agriculture
	Very Important		Slightly Important
			Not Important
_	important	_	Not important
	Having served on the Cass Clay Food Commission, scussed are:	l w	ould now say the food and agriculture issues
	Very Important		Slightly Important
			Not Important
	How important do you think the issues discussed at	Са	ss Clay Food Commission meetings are to
	her policy makers in your jurisdictions?		
	Very Important		Slightly Important
	Important		Not Important
	How important do you think the issues discussed at	Ca	ss Clay Food Commission meetings are to
-	ur constituents?		
	Very Important		Slightly Important
	Important		Not Important
_	OOPTION:		
8.	I would say my jurisdiction is ready to adopt one or	mo	re of the blueprint ideas.
	Agree		
	Disagree (Go to Question #10)		
	Do not know		
9.	Which blueprint(s) do you see your community mov	ing	
	Community Gardens		Farmers Markets
	Backyard Beekeeping		Municipal Composting
	Backyard Chicken Keeping		Cottage Food Laws
	Backyard Composting		None

	Community Gardens	Backyard Beekeeping	Backyard Chicken Keeping	Backyard Composting	Season Extenders	Farmers Markets	Municipal Composting	Cottage Food Laws
Job and Colleagues:								
Policy makers:								
Jurisdiction city/county staff:								

WILLINGNESS

11. What is your willingness to support the adoption of the blueprint recommendations?

	Very Willing	Willing	Slightly Willing	Not Willing at All
Community Gardens				
Backyard Beekeeping				
Backyard Chicken Keeping				
Backyard Composting				
Season Extenders				
Farmers Markets				
Municipal Composting				
Cottage Food Laws				

12. What is the willingness of your jurisdiction to support the adoption of the blueprint recommendations?

	Very Willing	Willing	Slightly Willing	Not Willing	Don't Know
				at All	
Community Gardens					
Backyard Beekeeping					
Backyard Chicken Keeping					
Backyard Composting					
Season Extenders					
Farmers Markets					
Municipal Composting					
Cottage Food Laws					

13. The mission of the Cass Clay Food Systems Initiative is to increase access to safe, nutritious and affordable food for all in our community. We've spent the last 2 years focused on urban agriculture. What is next? What topics are important to bring to light at the Commission?