Legislation Details (With Text)

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Title:	Resolution to Approve Two Program Agreements with the USDA-NRCS Agricultural Conservation Easement Program (ACEP)				
Sponsors:					
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Date	Ver.	Action By	Action	Result
6/15/2020	1	City Council	Approved	Pass

Resolution to Approve Two Program Agreements with the USDA-NRCS Agricultural Conservation Easement Program (ACEP)
This resolution approves two Program Agreements with the USDA Natural Resources Conservation Service (NRCS) Agricultural Conservation Easement Program (ACEP). Due to a change in federal process, these Program Agreements replace the prior Cooperative Agreements as the master agreements that enable the City to apply for NRCS federal grants. One covers applications for grant funds made under the ACEP program and one covers applications made under the Regional Conservation Partnership Program (RCPP). Approval of these Program Agreements is a prerequisite to applying for and receiving federal ACEP grant funds.

The Program Agreements do not bind the City to expend any funds or purchase any conservation easement. The Program Agreements are master agreements with USDA-NRCS-ACEP that provide a framework under which the City is permitted to apply for and be awarded grants for individual conservation easements. Each conservation easement will be the subject of a separate Parcel Contract under the umbrella of the Program Agreement. If ACEP funding is awarded to the City for purchase of a particular conservation easement, City Council will be presented a separate resolution at that time to formally accept the funding and authorize the purchase. The individual Parcel Contracts will only be executed after Council approval for that specific conservation easement purchase.

The ACEP Program Agreement allows the City to apply for ACEP grants on an annual basis over the next five years. Applications to the NRCS ACEP Program are for funds up to 50% of the appraised fair market value for agricultural conservation easements. This is the primary source of federal matching funds for the City Greenbelt Program.

The RCPP Program Agreement allows the City to continue to apply for grants under the Huron River Regional Conservation Partnership Program (RCPP). The RCPP is a subset of ACEP that contains

dedicated grant funds for the Upper Huron River area. The City's participation in the Huron River RCPP was approved by City Council on September 6, 2016 (R-16-358) for a period of five years.
Prepared by: Remy Long, Greenbelt Program Manager, The Conservation Fund
Reviewed by: Derek Delacourt, Community Services Area Administrator
Christopher Frost, Senior Assistant City Attorney
Whereas, The USDA-NRCS Agricultural Conservation Easement Program (ACEP) program has matching grant funds available up to 50% of the purchase price of conservation easements on eligible agricultural land;

Whereas, The USDA-NRCS requires the City to execute Program Agreements in order to be eligible to receive ACEP and RCPP grant awards;

Whereas, The Greenbelt Advisory Commission's goal is to leverage the City's millage funds to protect as much land as possible throughout the 30-year life of the millage;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a Program Agreement with USDA-NRCS-ACEP allowing applications for annual ACEP funding for a term of up to five years, after approval as to form by the City Attorney;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute a Program Agreement with USDA-NRCS-ACEP allowing applications for funding under the Huron River RCPP for a term of up to five years, after approval as to form by the City Attorney;

RESOLVED, That the Mayor or City Administrator is authorized to execute all other documents necessary to implement these Program Agreements, after approval as to form by the City Attorney; and

RESOLVED, That the City Administrator is authorized to take all actions necessary to implement the Program Agreements.