

Agricultural Advisory Committee

December 16, 2014 Meeting Minutes

Attendees: Doug Lechliden, Chuck Schuster, David Weitzer, Drew Stabler, Tim McGrath, Ben Allnutt, Eddie Kuhlman, Patrick Brown, Paula Linthicum, Charlotte McGehee, Linda Lewis, Jane Evans, David Heisler, Debbie Benson, Aliza Fishbein

Guests: Tom Linthicum, Emily Jones

Staff: Jeremy Criss, Josh Penn

1. Holiday party and Introductions

The meeting began with a holiday party with an impressive spread of food prepared by Jane Evans, Linda Lewis and Debbie Benson. The committee is sincerely thankful to have such wonderful, dedicated members. With guests present, brief introductions were made.

2. Approval of the AAC Minutes from last meeting.

The Minutes were approved as correct. *(Stabler/Lewis)*

3. The tour of farms with Planning Board Chair Casey Anderson will be held after the holidays due to scheduling challenges.

4. Follow up from the December 8th meeting with stakeholders to discuss expanding broadband high speed internet access to the Agricultural Reserve.

With many in the farming community still without access to broadband internet, this has become an issue. The meeting was requested by Councilmember Roger Berliner and was attended by Jeremy Criss and David Weitzer. After hearing comments from the group, it is apparent that many without access (including AAC members – Lechliden, Linthicum, Stabler, Benson and Lewis) would be willing to pay more to get it. Even so, money does not seem to be the issue. The group decided to write a letter to the County Council outlining the problem and advocating for internet access for those that need it. Mr. Criss will follow up with Councilmember Berliner to discuss other approaches for meetings on both the west side and the east side of the Agricultural Reserve.

5. League of Women Voters Agricultural Fact sheet (See Attachment C.)

The League of Women Voters authored “Agricultural Fact Sheet” is garnering attention from the Ag community and concern from equestrian community. There are issues with statements that are presented in the fact sheet, how they are presented and whether they are supported by data. While there is some controversial information in the fact sheet, it is also very thorough and factual with useful data. Mr. Criss encouraged everyone to read it because it does give a good summary of agriculture in the county.

The fact sheet addresses the equestrian community in regards to nutrient management plans and soil conservation and water quality plans and determines that there is a lot of work that

needs to be done. In 2003 when Steve Silverman was the Chair of the PHED Committee he wanted a County enforcement agency to oversee all soil conservation plans and nutrient management plans for all equestrian facilities. However, this did not happen because they are already enforced by the State of Maryland and referenced under the Plan Compliance section. As it is written now, if you have more than 10 horses, you must have both a nutrient management plan and a soil conservation plan. Letters of certification must be submitted to the department of permitting services to verify they exist. Currently, there are no letters of certification on file. Margaret Chasson and Jane Seigler are going back and forth to see how to move forward.

As a side note: Steve Silverman resigned as Director of the DED – Jan. 2nd is his last day. Acting Director is Sally Sternbach.

6. Update on the Positions approved for FY15 Operating and Capital Budget:

The-BDS position (Kristin Fisher) interview was held on October 20, 2014 for Preferential Hiring applicant. The OHR Director approved DED to contact some of other 32 applicants that met the minimum requirements. DED questions having to rate all 32 applications given that three months have passed since the deadline to apply. After reading all the resumes, only one had a background in agriculture. On December 12, 2014 the County implemented a hiring freeze to address the \$179 million projected deficit in 2016 (which is the worst it has been in 5 years). The reason for this year's massive shortfall is because the federal government announced in October that in FY15 government funding to the State of Maryland was \$1.2 billion dollars less than in FY14. Montgomery County has the largest share of \$ 1.2 billion dollars due to the number of federal agencies and federal employees in the County. The MD Comptroller collects the piggy back tax which represents the county share of the state tax that you pay. In the third quarter the Comptroller allocates the county share to the counties. The County's share is \$96 million less than what was previously projected it to be. This is a function of people not working and reduction of federal dollars into the economy. \$100 million is caused by the FEDs reduction of resources and the remaining \$79 million other taxes, fees, and collections that were projected higher than actual rates. Jeremy will be submitting a waiver requesting exemption from the hiring freeze.

Agronomy Educator for UM-Extension part-time contract for Doug Tregoning has been approved and Doug has started to prepare for Pesticide Bill 52-14 and the Winter Agronomy Update meeting.

New Resource Conservationist for MSCD (Brian Taylor) The OHR approved the position to be reclassified to BDS position and the e-recruitment ad was advertised within the DED-MSCD as recommended by the MSCD Board of Supervisors. The advertisement was released on December 2, 2014 and closed on December 15, 2014. This position would be affected by the aforementioned December 12, 2014 hiring freeze and Mr. Criss is working to get it exempt.

As a side note, Mr. Schuster said that the University of Maryland is also under the same hiring freeze. It will not affect Derwood, though we may see some furloughs. Rebecca Davis position has been filled and the new hire is Lisa Gonzales.

7. New Appointments to the AAC (See Attachment D.)

The committee reviewed members whose terms are expiring this year. They include Tim McGrath (farmer) and Patrick Brown (non-farmer). Patrick Brown is the only non-farmer member who has ever served 6 years in the role. His presence has benefited the group and we are sorry to see him go. He is moving to Loudoun County VA and expressed his gratitude for his service on the committee where he has learned all about the community.

There are several members that need to request reappointments including Debbie Benson, Paula Linthicum, Charlotte McGehee, Aliza Fishbein and Eddie Kuhlman.

8. The Pesticide Legislation Bill 52-14 (See Attachment E.) The Bill is supported by 5 Council members (Leventhal, Floreen, Reimer, Navarro, and Elrich). The public hearing is scheduled for Thursday January 15, 2015 at 7:30 pm with the T&E Committee.

http://www.montgomerycountymd.gov/COUNCIL/Resources/Files/bill/2014/Packets/20141028_4C.pdf

The discussion on the proposed Pesticide Legislation continues to be heated. The four ag-representing groups (Ag Preservation Advisory Bd, MC Farm Bureau, Ag Advisory Committee and MAP) are all opposed to the legislation for different reasons. The AAC continued the discussion on problematic parts of the legislation and began strategizing on how they can best share their views. The public hearing will hear testimonies on each side of the argument and Mr. Criss cautioned that we should be strategic on who we send so that all anti-pesticide bill perspectives are heard. The public hearing will not include the full council – just the T&E Committee. Of the four agricultural groups, most have formally written a letter expressing their view on the bill. It was questioned whether the Farm Bureau had submitted a letter yet. Tom Linthicum and others will help confirm one has been submitted or will be.

Ms. Jane Evans wanted to know if Doug Tregoning had developed talking points noting that his insight will be very helpful. Mr. Tregoning is opposed to the bill based on the fact that there is no conclusive scientific information showing that the use of pesticides causes health issues in children. In order to have clinical trials they need to have duplication of the results and that hasn't occurred.

Mr. Chuck Schuster pointed out that on Pg. 3 of the legislation; the decline of bees is due to neonicotinoids. He argues that this is not true and that fungicides have proven to be a bigger cause for bee decline. He also mentioned that home owners can get neonicotinoids. In most cases, the bigger problem is misuse or misapplication – not the products themselves. Mr. Schuster pointed out that the proposed legislation will not correct misapplication.

Ms. Paula Linthicum reminded the group of Ellen Bogage noting that she has poured through available studies on the subject finding pesticides harmless when used correctly. She suggested reconnecting with her and making sure her findings are presented.

Mr. Criss wants to make sure the ag community is heard on these bills but since there is a limit on the number of people who can sign up, he wondered if it made sense to send too many ag representatives in light of the fact that currently, ag is exempt from the bill. He wondered if

other groups may have stronger, more pressing arguments. It might be more beneficial to hear from the folks who will be impacted by the bill.

To that, Mr. Tom Linthicum responded that he believes ag will be immediately impacted by the bill. He pointed out that, depending on how one interprets the bill, you could argue the farming community will be immediately impacted though they are written in as being exempt. He highlighted one of the inconsistencies that might contribute to this “worse case” scenario: The bill says that all non-essential pesticides will be banned. It then lists them. It could be interpreted that the ag community, while exempt, will still only be allowed to use “essential” pesticides. The list of non-essential pesticides is very inclusive and if farmers had to give them up, Mr. Linthicum believes farmers would be put out of business. Mr. Criss will help the President of the Farm Bureau, Mr. Lonnie Luther, develop a letter that details this concern. Mr. Luther’s testimony would be sought for the public hearing.

Ag preservation is saying that our job is to provide guidance to the council to make sure that we have acreage to protect future food and fiber production. Reducing the tools available to farmers will greatly impact their ability to produce food and fiber that supports the county’s population.

Ms. Linda Lewis pointed out that the legislation leaves out potentially even more damaging chemicals that are widely used: Ice Melt, salt brine, potential carcinogens. It seems silly to limit use of chemicals that do less harm than others that are even more broadly used.

The legislation does not have a complete list of what will be considered non-essential. Instead, it references where they are going to get the list – department of environmental protection will develop list. They list a bunch of websites they are using to develop the list.

Currently, there is a federal list that deems certain pesticides safe for general use or restricts the use of certain pesticides. The same list exists at the State level. If this legislation passes, there will be another list at the County level which will be much more restrictive.

What is the fiscal cost of this legislation to the tax payers?

Ms. Paula Linthicum wondered what the fiscal cost of the legislation would be to tax payers. She also wondered about where the horse community and Montgomery Countryside Alliance-MCA stand on this issue. They might add another helpful perspective to the discussion. Mr. Criss will contact Jane Seigler, President of the MD Horse Council and Caroline Taylor, Executive Director MCA or Tom Hartsock.

Ms. Jane Evans cautioned that this will be an emotional issue. She said that our testimony will need to be aware of the other side. We want to make sure our arguments are constructed so they are careful, respectful and convincing.

A number of others were listed as being potentially useful in the discussion: Jane Seigler, Friends of Silgo Creek (who wrote a letter saying there’s a place for pesticides after having used none on their fields), Takoma Park residents (who also have been under a pesticide ban), Weed Control and DOT.

Finally, it was mentioned that Councilmember Roger Berliner, who is the chair of the T&E Committee should be contacted as well as other councilmembers Nancy Floreen. As of now, 5 of the 9 councilmembers have signed on.

The public hearing is on Jan. 15th in Rockville and all are encouraged to show up – maybe even with hand written signs saying you are opposed to this bill.

The meeting was adjourned at 8:22PM. (*Kuhlman/McGehee*)