



THE OFFICE OF AGRICULTURE

Isiah Leggett
County Executive

MEMORANDUM

October 16, 2015

TO: Agricultural Advisory Committee Members (AAC)

FROM: Jeremy V. Criss, Agricultural Services Manager
Department of Economic Development

SUBJECT: The Agricultural Advisory Committee and Agricultural Preservation Advisory Board Meeting Tuesday, October 20, 2015

Please be advised the Agricultural Advisory Committee will be meeting on **Tuesday, October 20, 2015 at the Up County Regional Services Center 12900 Middlebrook Road Germantown in Room A at 7:00 p.m.**

The agenda is on the next page.

The other attachments for our meeting will be posted on the Agricultural Services web site. Due to the County's paper reduction mandate, please print these attachments out and bring them with you to the meeting.

See you on Tuesday evening.

*Sign language interpreter services will be provided only upon request with notice as far in advance as possible but no less than 72 hours prior to the event. If you need other services or aids to participate in this activity, please call 301-590-2810

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**Agricultural Advisory Committee Meeting
Agenda – October 20, 2015**

1. Introductions:

2. Approval of the AAC Minutes from September 15, 2015. (See Attachment Draft Minutes)

3.Follow up on the Council Work Session approving the Pesticide Bill 52-14 (6 to 3 Vote)

What happens next? There is a movement to include this legislation on the November 2016 Ballot for the County voters to decide. The Legislative History read out loud by Council President Leventhal outlined below may be considered to determine whether the agricultural community-MCFB has legal standing in the case of a court challenge.

Addressing the concerns of the agricultural community

Bill 52-14, as we propose to amend it, takes a belt-and-suspenders approach to ensuring that agriculture is not impacted by the Bill in any way. In every area where there are additional restrictions or requirements on pesticide use, there is an express exception for agriculture.

The use restrictions in Section 33B-10 of the Bill, which are identical on County-owned and private property, apply only to “lawns, playgrounds, mulched recreation areas and children’s facilities (including the grounds of children’s facilities).” The definition of the term “lawn” is critical here: “lawn” does not include “agricultural land” and, further, does not include a “garden.” “Garden” is defined in the Bill as “an area of land used to cultivate food crops, flowers, or other ornamental plants.” These two exclusions from the definition of “lawn,” should ensure that any impact on agriculture, whether on County-owned or private property, will be avoided. However, we have heard the concerns of the agricultural community, and to ensure that there is absolutely no ambiguity, Section 33B-10(c)(8) provides an express exception to the restrictions “to control pests while engaged in agriculture.”

Section 33B-12 of the Bill generally prohibits the use of neonicotinoid pesticides on all County-owned property by County employees and contractors, but subsection 33B-12(b)(1) of the section includes an express exception “to control pests while engaged in agriculture.”

Section 33B-14 requires the Parks Department to implement a pesticide-free parks program develop pesticide usage protocols to minimize pesticide use, but also includes an express exception from any restriction at subsection 33B-14(d)(7) “to control pests while engaged in agriculture.”

I understand that objections to the bill remain strong in the agricultural community but I hope this explanatory language will assist in clarifying the application of the new law in the future.

The Lawn Care Industry is contemplating taking the County to court. The MCFB has already gone on record to the Council that they may also take legal action on the bill.

4. Follow up on the AAC Sub-committee-Micro-Alcohol Production Facilities- Fruit and Grain based Alcoholic beverages. Events on farms providing food and the request for food trucks-

trailers that are prohibited due to Transitory Uses restricted under Section 3.1.5 TDR Prohibitions. (See Attached follow up from the August 26, 2015 meeting.)

5. Update on the New Office of Agriculture

The Office of Agriculture was effective on October 4, 2015. The OHR has provided instructions to Jackie Arnold to begin making the entries into the ERP System for payroll including both Peter Bang and Jackie Arnold for a total ten positions. The final decisions on reclassifications for Peter, Jackie and Jeremy are still pending. The County Code Chapter 2-B has yet to be posted on line with the amendments reflecting the June 30, 2015 adoption of Bill 25-15. The head of the new Office of Agriculture will report to Fariba Kassiri, Assistant Chief Administrative Officer. An announcement regarding the Office of Agriculture is pending the final decisions from the County Executive staff on the staffing details, classifications, and organizational structure. A letter from Leaders of agricultural community was forwarded to the County Executive requesting a meeting.

6. We are working with the County Cable Administrator and Comcast Business Service to explore replacing the phone system and T-1 lines at the AHFP. This will ideally involve participation of all agricultural agencies-MSCD, MDA, NRCS, FSA, UM-Extension and Office of Ag. The plan will involve transferring all current funding for phones and T-1 lines to Comcast Business Service for both phones-voice and High Speed Broad Band-data internet service.

7. Update on the Pilot Project to expand high speed internet to the Agricultural Reserve east of the Town of Poolesville. (See the attached email from Dennis Kamber)

8. There are 5 applicants for the Equine Resource Conservation position (Eddie Franceschi) that were interviewed last week.

9. Our Close Encounters with Agriculture starts on Monday October 12- 30, 2015.

10. Follow up from the October 19, 2015 Ag Preservation Advisory Board briefing with the County Executive to discuss alternative funding for farmland preservation programs and the FY17-21 CIP Budget submission.

11. The Maryland Agricultural Commission and the Secretary of MDA will be touring four farms in Montgomery on October 20, 2015. The farms are Eric Spates-Stoney Castle Farm, Wade and Susan Butler-Butlers Orchard, Craig Ruppert-Ruppert Nurseries, and Gary Mangum-Bell Nursery.

12. The Annual Farm Bureau Banquet is November 10, 2015.

13. MoCo Food Council/Office of Agriculture-Public Forum-On Farm Composting December 3, 2015 (See Attached Draft Survey to the agricultural community)

14. New Appointments to the Agricultural Advisory Committee confirmed by the County Council (See Attachment for confirmations)

15. Next Agricultural Advisory Committee Meeting November 17, 2015.

Upcoming Meetings and Events:

Close Encounters with Agriculture starts-ends October 12-30, 2015

Maryland Ag Commission-MDA Secretary farm tour October 20, 2015

Montgomery County Agricultural Advisory Committee-October 20, 2015 @7:00pm

Annual MCFB Banquet Dinner November 10, 2015@6:00 pm

Montgomery County Ag Pres. Advisory Board-November 10, 2015@ 7:00pm????

Montgomery Soil Conservation District Board of Sup- November 13, 2015@ 9:00am

Montgomery County Agricultural Advisory Committee-November 17, 2015 @7:00pm

MOCO Food Council-Forum-Opportunities for on-farm composting December 3, 2015