

Montgomery County Agricultural Advisory Committee
Agenda January 18, 2022

1. Call the meeting to order and introductions.
2. Approval of the November 18, 2021, AAC minutes. *Please note the AAC did not meet in the month of December 2021.*
3. **Introduction of Bills: November 2, 2021- Bill 40-21- Individual Water Supply and Sewage Disposal Systems - Amendments (McCartney-Green)**
Lead Sponsor: County Executive at the request of the Council President
https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20211102/20211102_9.pdf *Public Hearing was scheduled for 11/30/21 at 1:30 pm.*
All of the agricultural groups, APAB, MAP, AAC, MSCD and MCFB submitted written testimony opposing Bill 40-21. Robert Butz representing the MSCD also provided oral testimony in opposition to the Bill 40-21 and Robert recommended the County should consider a septic tank program that is based on incentives and education to property owners and not the heavy-handed sledgehammer approach that threaten property rights. The Bill 40-21 will be scheduled with the T&E Committee. *Please see the attached AAC letter to the County Council. The Economic Impact Statement for Bill 40-21 shows that homeowners will spend \$6.1 million every five years to pump out their septic tanks.*
4. **ZTA 21-07 Height and Density Allocations for MPDUs-Affordable Housing- Introduction on October 9, 2021-Public hearing November 8, 2021-PHED Committee recommends approval with amendments-County Action January 18, 2022.** The Office of Agriculture is working with the League of Women Voters to suggest an alternative way to achieve incentives for affordable housing that uses the TDR Overlay Zones. *The Office of Agriculture remitted the attached second letter to the County Council that advocates for amendments that will create incentives for using TDRs for affordable housing.*
https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20211109/20211109_7.pdf
5. **Introduction of ZTA 21-10 Accessory Structures- November 16, 2021- Public hearing is scheduled for January 18, 2022.** *The Office of Agriculture remitted the attached letter to the County Council supporting the ZTA 21-10 since it will not have a material impact on accessory structures used for agricultural purposes. The letter also recommends revisiting the 10% size restriction for accessory structures used for agriculture education and tourism.*
<https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2021/ZTA%2021-10.pdf>
6. **Follow up on the January 13, 2022, meeting between MAP, MCFB, and OAG**
Update on the OAG FY23-28 Ag Land Preservation CIP budget-RESJ ranking 3 out of 4 total points
Update on the OAG FY23 Operating Budget-One BDS position and one Engineering position
Electric Lawn Care-Prohibition on the Use and Sale of gasoline blowers
Reemphasis of TDRs and BLTs used for affordable housing-*See Attached letter from OAG-County Executive requested that his staff work with Margaret Chasson of the League of Women Voters*
Future ZTA on size restriction for Accessory Structures used for ag-education and tourism
Update on Community Solar in the AR Zone including tariffs for energy providers

7. **Update on the Broad Run Creek II Farm LLC** The County Executive, County Council, and Planning Board approved the acquisition of the Broad Run Creek Farm II LLC by County Parks. The CAO approved this acquisition requiring the County Parks to remit \$953,055 and five remaining TDRs the County Government C/O Office of Agriculture. Moving forward, the Parks will own 472 acres as part of a Conservation Park and the remaining 63 acres will be retained by the current owner along with 1 TDR.
https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2021/20211214/20211214_20I.pdf

The Office of Agriculture-OAG believes the decision to terminate the County AEP Easement and allow Parks to create a conservation park was a mistake. The OAG has reporting requirements to the State of Maryland for all transactions involving agricultural preservation easement properties. The OAG does not know if the State will require Montgomery County to reimburse them for the State funds that were used for this transaction.

8. **Update on the Montgomery County Farm to Food Bank program** — a partnership between the Montgomery County Food Security Task Force, the Department of Health and Human Services, Manna Food Center, the Montgomery County Food Council, the Montgomery County Office of Agriculture, and the Greater Washington Community Foundation — has collectively invested and committed over **\$630,000** in local farms to support a sustained and resilient local food supply and provide more nutritious and culturally diverse produce to residents who experience hunger. Since July of 2020, over **112,235 lbs** of fresh, locally produced food has been purchased or donated to over 30 food assistance providers, creating over **90,000 meals** for the Montgomery County community.
9. **FY23-28 Ag Land Preservation CIP Program**-*Please see the attached PDF file on the Capital budget. Also attached, are the summaries on Climate Change and Racial Equity and Social Justice policy change. The OAG received 3 out of 4 total points from the Office of RESJ that could improve access to land for new and beginning BIPOC farmers. The OAG supports the purchase of agricultural easements on farms less than 50 acres contingent upon the County appropriating additional County funding to the project.*
10. **Follow up on Bill 16-21-Environmental Sustainability- Building Energy Use Benchmarking and Performance Standards – T&E Committee on December 9, 2021**

The DEP recommends the bill should apply to equestrian facilities in the County with buildings 25,000 square feet in size or larger to assess the energy being used for lighting, heating, and air conditioning, etc. The DEP presentation included a summary of other jurisdictions around the country including Washington State that exempts all agricultural buildings.
https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2021/20211028/20211028_TE1.pdf

There was a second T&E Committee work session on December 9, 2021. *The AAC remitted a second letter to the County Council recommending that Bill 16-21 should follow the lead of*

Washington State and exempt all existing and new agricultural buildings. Please note that agricultural buildings were not mentioned during the second T&E Committee work session.

11. **Electric Lawn Care** – We are still waiting for legislation from DEP that proposes the prohibition on the use and sale of gasoline leaf blowers. A broader Electric Lawn Care bill may also be proposed.
12. MCA, OAG, MC Green Bank- Accessory Solar Webinar-*See the attached flyer for this webinar on January 24, 2022.*
13. *Next Meeting of the AAC is February 15, 2022*

Upcoming Meetings and Events:

Montgomery Soil Conservation District-January 14, 2022
Agricultural Advisory Committee-January 18, 2022
MCA-Accessory Solar Webinar-January 24, 2022
Montgomery County Farm Bureau Board of Directors- February 1, 2022
Moco Farmer Forum-February 7, 2022
Agricultural Preservation Advisory Board-February 8, 2022
Farm Bureau Day in Annapolis-February 9, 2022
Agricultural Advisory Committee-February 15, 2022
North American Raspberry and Blackberry Conference-Gaithersburg-February 21-23, 2022
Agronomy Update-Urbana Fire Hall-February 23, 2022
Mini-Farmer Conference-One Acre Farm-Reschedule to February 25, 2022
Taste of Maryland-Rescheduled to March 3, 2022