

**Montgomery County Agricultural Advisory Committee
Meeting Minutes
November 15, 2022**

Attendees: Peter Driscoll, Jane Evans, Doug Lechlinder, Chuck Schuster, Tim McGrath, Patrick Jamison, Debra Tropp, Eleanor Leak, Russ Allnutt, Amanda Cather, Lori Larson, John Brewer, Aliza Silver

Staff: Jeremy Criss, Greg Wims

Guests: Dr. Adam Darkins, Jennifer Freeman, Ellen Gordon, Tim McGrath

Note: text from the meeting agenda is in BOLD.

Call the meeting to Order - 7:03 pm

Approval of the October 18, 2022, AAC minutes - Approved as corrected (Evans/Leak)

Bill 40-21- Individual Water Supply and Sewage Disposal Systems - Amendments (McCartney-Green)

During the October 24, 2022, Transportation and Environment Committee work session several questions were raised that DEP staff did not have all the information. Another T&E Committee work session will be scheduled, and we do not expect this legislation to be scheduled until the new County Council begins after the holidays.

No action was taken on the bill by the T&E Committee. The Committee will hold another work session after the holidays when the new Council begins. The Committee seems to be concerned about the violations/penalties section. OAG is looking forward to discussing these with the new County Council.

Bill 13-22 Buildings-Comprehensive Building Decarbonation scheduled for a second Planning Housing and Economic Development Committee on November 3, 2022.

During the November 3, 2022, PHED Committee Work Session, the Committee agreed to exempt all farming uses as defined in Chapter 59 Zoning including Farm Alcohol Production. The Bill is scheduled for a full Council Work Session on Tuesday November 15, 2022.

Hans Riemer moved to have all farming uses exempted from the bill, as well as farm alcohol production, at the work session. There was another work session today. The bill will likely come back for final read. It is unclear when that will happen. The farming uses are now included in the exemption section of the bill.

Bill 18-22 Noise Control – Leaf Removal Equipment – Amendments-

This Bill 18-22 Noise Control-Leaf Removal Equipment was introduced on June 21, 2022, and the Public Hearing was on September 20, 2022. Some of the agricultural groups remitted letters to the County Council opposing the Bill 18-22. A County Council work session has not been scheduled yet.

This bill has not yet had a work session. The Council will return to this after the holidays. AAC wants to make sure gas leaf blowers are still allowable in the AR zone, where noise issues shouldn't be as big a concern as down county.

https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2022/20220920/20220920_9.pdf

Bill 24-22 Streets and Roads-Amendments from the Rustic Roads Advisory Committee

During the October 17, 2022, Transportation and Environment Committee work session the Bill 24-22 Streets and Roads was discussed. Some of the agricultural groups remitted letters to the County Council opposing the RRAC amendments to Bill 24-22. The Committee agreed to delay the RRAC recommended amendments to Bill 24-22 that would increase the number of RRAC committee members from 7 to 9 and remove the income requirements for farmers. The Committee agreed to assign the RRAC recommended amendments to the Rustic Roads Master Plan process that is currently underway including the Planning Board public hearing on November 17, 2022, at 6:00 pm.

The Planning staff recommended that the T&E Committee not take actions on the amendments the RRAC was suggesting, which were to increase membership from 7 to 9 and remove the income requirements for the 3 farmer members. Better that these suggestions be considered as part of the Rustic Roads Master Plan update. The Committee agreed to not act yet. There is a public hearing this Thursday to discuss these amendments. AAC, MAP, and APAB have written letters in opposition to the amendments.

Jeremy has asked for the County Executive's position on the suggested amendments from the Rustic Roads Advisory Committee on this Bill 24-22.

Rustic Roads Master Plan Update-

Here's the press release for the November 17, 2022, Planning Board Public Hearing:
[Rustic Roads Functional Master Plan Working Draft to be presented to the Planning Board on October 6 - Montgomery Planning](#)

Please see the attached draft letter from Doug Lechlinder outlining his personal views of the Rustic Roads Program.

Lori Larson has agreed to present the power point presentation titled The Rustic Roads Through the Eyes of the Farmer that features pictures of Rustic Roads along with testimonials from farmers regarding their views of the Rustic Roads program and MCDOT maintenance and improvements.

We have a public meeting with the planning board this Thursday. Doug wrote a letter that he is submitting, but it is not coming from the AAC as he did not have our approval. He wrote it as a

citizen farmer. Lori has also submitted a letter with her personal views. Lori is also going to testify, and she submitted the pictures and testimonials from farmers. Linda Lewis has signed up to testify. Bob Cissel will be testifying on behalf of MAP. Michael Jamison will be testifying virtually on behalf of the Ag Preservation Board, although his verbal testimony will be from his personal experience using Rustic Roads and not from the APAB.

Office of Legislative Oversight on the Status of TDRs and BLTs -

Comments on the Draft Office of Legislative Oversight-OLO report are due back to OLO staff on November 16, 2022. The Chapter 5 Summary of Findings and OLO Recommendations is still pending.

The findings from this report will show that the County Government and MNCPPC have not proposed new receiving capacity for TDRs for the past 10 + years. The findings will also show that the imbalance of TDRs in the sending area is more than three times higher than the total TDR capacity in receiving areas. The OAG is hopeful that the new Planning Board and new County Council will help to address the imbalance of TDRs that has existed since the program began.

OLO remitted a report to OAG that didn't include the Chapter 5 summary of findings. They gave OAG two weeks (until tomorrow) to comment on it. The report is not final so Jeremy hasn't shared it. Today, Jeremy remitted his comments. Jeremy has inquired as to whether the above language will appear in the Chapter 5 Summary of the report.

There are over 4500 TDRs remaining that have not been used in receiving areas/TDR Overlay Zones. There are 3.5 times more TDRs in the sending area than in the receiving area. There haven't been any new opportunities for TDRs in the past 10 years.

There are educational opportunities with the new Planning Board and new County Council.

After the holidays, the report will be finalized and remitted to the Planning Board. There will be another comment period. There will be a work session and a recommendation from the planning board to the County Council. The Council will then go through its process. The report will show how the programs are not on track. This will be a good opportunity for OAG and AAC to teach the new Council and Planning Board the history of the AR Zone and how, 42 years later, the downzoning and TDR program have not achieved the economic opportunity it was supposed to. There's a section in the report that says there are some people in the AR Zone who have never had intent to sell their TDRs because of distrust of government and don't want any encumbrances on their land. The report doesn't acknowledge that these folks don't live forever. Therefore, this assumption is fundamentally flawed; we are seeing this in reality-Betty Casey, the largest AR zoned property owner-Casey Foundation died in August 2022. Many farmers who have been leasing are now looking to purchase properties and pay down the mortgage and could use the equity represented by the TDRs to help finance the purchases.

UME Staff updates-

Chuck Schuster has been selected to serve at the Acting/Interim Area Extension Director that Rick Walter held.

This is a 6 month appointment. Chuck is the conduit between Montgomery County and the UMD campus.

The Master Gardeners administrative position to replace Linda Walters was posted a second time and it closed on October 28, 2022, and the applicants are under review.

The 4H Agent Associate position that Santana Mays held was posted on September 29, 2022, and it closed on October 28, 2022, and the applicants are under review.

University of Maryland Extension is seeking to fill ten (10) Tech Extension Educator/Navigator positions, with one position at each of the following county Extension office locations:

- *Central Maryland (1 position in Montgomery or Howard County)*

Jeremy does not know where this position will be assigned Montgomery or Howard County?

UMD is attempting, based upon info we learned during the pandemic, about the lack of technology available in communities, to hire 10 tech navigators to work in communities to hook people up with technology that's available. This is coming from a grant from Governor Hogan. UMG is in the process of doing a search and will include the fact that Extension is available to them. This is a one year contract term that may be renewed for one additional year.

When this person comes on board, they will want to contact the office of rural broadband for Montgomery County. This office was very involved in the Sugarland Broadband Project which connected 115 residents in that area and 10 different ag businesses.

Last month Jeremy circulated a survey to find out who does not yet have broadband. The new person in this position should be in contact about these resources.

FY 23 Operating Budget for the OAG:

The BDS position that Kristin Fisher once held and prior to 2010 was posted and the closing date is October 25, 2022.

The interviews for this Business Development Specialist position are pending.

The MSCD Engineering Position-Technical assistance on small ponds was posted September 29, 2022, by OHR and only one candidate applied. The OHR will post this position again.

Update on the FY22 Farm to Food Bank-F2FB Program-

Please see the attached announcement and requirements for the Capacity Building Grants.

Jeremy had previously told AAC that OAG recommended redirecting the capacity building grants funding to the direct purchasing for foods. The farmers were pleased they were able to sell everything that they produced. OAG learned the Council approved a Supplemental Appropriation to reinstate the capacity building grants (\$150k). The Manna Food Center informed everyone about the requirements for farmers who apply for the capacity building grants.

Proposal on Corn Stover/Fodder used as an alternative clean energy:

During the summer, the Office of Agriculture-OAG started to hear about an initiative promoted by Johnny Jamison. This initiative would consist of commodity farmers redirecting corn residue/stover/fodder as an alternative clean source of energy and not residue management/soil amendments. Please note that the OAG is not promoting this initiative; and the OAG has agreed to make sure the agricultural community and agricultural groups are aware of this initiative and to conduct a survey for farmer interest etc. Please see the attached description of this project that was prepared by Allan Marega of Global Supply Solutions, LLC.

Jeremy sent out some information on this proposal. This is mostly being presented for informational purposes. We should all read the pamphlet. There is some information in the pamphlet that may be somewhat concerning.

Jeremy gets calls every day from folks involved in this project. He is providing the opportunity for us to learn more about it at a future meeting. Global Solutions LLC has a location in Kenya. The residue from Pineapple is so acidic they can't put it in the soil. They make briquettes out of this material and use it as a slow burning source of energy. The proposal suggests the Dickerson power plant owner (Morgantown Steam LLC) could convert two of the existing diesel incinerators to burn this kind of organic cellulose material.

Jeremy will also do a survey of farmers asking if they want to redirect their residue management for commodity agriculture. The current residue management is where all the cellulose material from the corn plant, cob and husk gets shot out of the back of the combine after the combine has shelled the kernels of corn from the cob. Under residue management the rain hits the residue material left over from the crop instead of the bare soil which helps reduce soil erosion. The organic material as it decomposes is a source of potash and other nutrients and minerals as well. It's part of Montgomery County's no till planning. About 30 commodity farmers at all different scales who are involved in grain production represents the farmers that OAG would survey for interest.

Johnny Jamison has called the corn stover a waste product. Jeremy disagrees, explaining that it adds nutrients to the soil. It appears that this would carry an opportunity cost. Doug Lechliger pointed out that it's not necessarily appropriate to call the stover pollutants.

Chuck Schuster told us about Dr. Darren Jarbo's experience with this type of project in Iowa before he came to the University of Maryland. Dr. Jarbo is an associate dean at the University of

Maryland. When doing research in Iowa, he looked at stover impacts on soil and future crops. He also has a lot of data that other scientists have pulled together. They have determined that corn stover can be used as a fuel source; this is not controversial. What we need to consider is what nutrients we would need to supplement to our soil. So we need to determine the value of that to make sure we're not losing dollars in the bigger picture in our zeal to have another product to sell. The soils in Montgomery County are high in clay content so the particle size is small, and when hit by rain, can splash. Under windy condition we could lose soil that way. Dr Jarbo is concerned with the short season we have to establish cover crops. And nutrient costs went up significantly this year and it takes 100 years to develop soil. The purpose of stover on the grain is to slow the speed of falling rain drops to decrease soil erosion and the stover breaks down and releases nutrients for future crops which includes a source of organic matter.

OAG strongly recommends the use of no till practices across the state of Maryland. The less tillage/soil exposure we have the cleaner the Bay will get over time. We'll never achieve an A score, but we're vastly improving. Montgomery County is a leader in no till and we've seen our soils dramatically improve. Farmers who use continuous no till have soil tests that show the benefits of this Best Management Practice-BMP. We have no laws that require no till. Farmers in Maryland are incentivized to plant cover crops. Farmers are paid a dividend to make sure the cover goes on early enough.

The Chesapeake Bay watershed implementation program with nutrient reduction goals for 2025 are not going to be met. The Stormwater management sectors are not going to be addressed. Publications say that municipal sewage treatment plants in Maryland have implemented the best technology available for them to reduce nutrients, but also MDE has taken over through a court consent order the Back River Sewage treatment plant since Baltimore city's oversight is ineffective. Sewage treatment plans are also having trouble meeting the Chesapeake Bay nutrient reduction goals. The Maryland Agricultural community is charged with reducing sediment and nutrients and Maryland's agricultural community has achieved the 2025 goals for sediment, potassium and phosphorus, just need to keep going with nitrogen: we're at 42% of the goal for nitrogen. Using the corn stover/fodder for energy source may harm our progress in sediment reduction.

Next Meeting of the Agricultural Advisory Committee

December 20, 2022, at 7:00 pm

Adjournment

8:14 (Silver/Jamison)