

Montgomery County Agricultural Advisory Committee -May 16, 2023
Office of Agriculture- Jeremy Criss

Call the meeting to Order and Introductions-

Approval of the April 11, 2023, AAC minutes-

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. On March 7, 2023, the County Council passed a Resolution to extend the effective date of Bill 40-21. We will continue monitoring this Bill 40-21 that will be scheduled for a second T&E Committee Work Session.

<https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230307/202303073A.pdf>

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

This Bill 18-22 Noise Control-Leaf Removal Equipment was discussed during the T&E Committee work session on February 13, 2023, Councilmember Marilyn Balcombe presented an amendment to permit the use of gasoline blowers for farming uses and agricultural producers. On March 7, 2023, the Full Council voted unanimously to support the amendment to exempt agricultural producers from this Bill 18-22. Bill 18-22 was scheduled for final reading for a second time on March 21, 2023, and the County Council tabled the bill for now.

<https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230321/202303214G.pdf>

FY 24 Operating Budget for the Office of Agriculture

The Full Council recommended approval of the FY24 Operating Budget for the OAG, MSCD and UME on May 10, 2023. All agricultural agencies are fully staffed, and all funding requests have been approved.

Office of Legislative Oversight Report on the Status of Transferable Development Rights and Building Lot Termination Easements

Once the County Council has approved all of the FY24 Operating and Capital Budgets, the OLO report on the status of TDRs and BLTs will be scheduled before the Planning Housing and Parks Committee-Stay tuned for the date and time.

Update on the October 2023 Retirement of Jeremy Criss, Director of the Office of Agriculture

The Montgomery County Food Growers Association, Agricultural Advisory Committee, Montgomery Soil Conservation District, and the Agricultural Preservation Advisory Board remitted letters to the

County Executive, CE staff and County Council recommending the process to replace Jeremy Criss. The County Executive has verbally agreed to replace Jeremy in a Merit Position and CE said he welcomes the participation of the agricultural groups as part of the interview committee. The CE said that he will support moving forward now to find a replacement for Jeremy so the new candidate can shadow Jeremy for 1 to 2 months before Jeremy retires on October 1, 2023. Response letters from the CE to the agricultural groups have been remitted for approval and will be sent back to the agricultural groups soon.

Update on the Maryland definition of Community Solar and impact on Montgomery County

The State of Maryland revised the definition of Community Solar to make it a permanent program and allow up to a maximum of 5 MW as compared to the current threshold of 2MW and here are the specific bills SB0613/HB0908 and the links:

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0613?ys=2023RS>

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/hb0908?ys=2023RS>

The OAG is hearing from different sources that our farm solar ZTA 20-01 may be revisited since the State definition of Community Solar has been expanded. There is a community solar webinar sponsored by MCA, MC Green Bank and OAG on June 22, 2023, at 7:00pm.

The Office of Agriculture recommends that the County Government revisit the Farm Alcohol Production Zoning Text Amendment 18-03 with the following amendments.

The minimum lot size for all types of FAP should be amended to require 25-acres. Please note that farm breweries and farm distilleries currently require a 25-acre minimum lot size.

The minimum on-site production requirements for farm breweries and farm distilleries should be amended to require five (5) acres which is consistent with farm wineries and farm cideries. Please note farm breweries and farm distilleries currently require only one acre of on-site production. The OAG will require that FAP owners provide evidence of contract growing of specialty crops.

The recommendations above will create a level playing field that treats all FAP the same in terms of minimum lot size and on-site production. The OAG has several FAP applications in the que and we believe that Royce Hanson was correct in saying this FAP policy will turn the Agricultural Reserve into a bunch of Beer Halls.

The Planning Board reviewed the Rustic Roads Functional Master Plan Update – Public Hearing comments from the April 18, 2023, Public Hearing.

<https://montgomeryplanningboard.org/wp-content/uploads/2023/04/Bill-to-Update-RRAC-per-RRFMP-Update-Staff-Report-Final-with-Attachment.pdf>

Outlined below, you will see the recommendations from the Planning Board on the future membership requirements of the Rustic Roads Advisory Committee-RRAC. The packet below has a draft Bill to amend Chapter 49 Transportation-Article 8 Rustic Roads Advisory Committee.

PROPOSED REVISIONS TO RRAC MEMBERSHIP CRITERIA

The proposed text for Section 49-80 (a) to implement the recommended changes is as follows: Membership. The County Executive must appoint, subject to confirmation by the County Council, a Rustic Roads Advisory Committee. In making appointments, the Executive should strive to achieve diversity on the Committee in support of racial equity and social justice.

The Committee Bill to Update RRAC Membership Criteria and Duties 6 has nine voting members. Each member must be a resident of the County. The Executive should appoint:

- (1) three members who operate commercial farmland earning 50 percent or more of their income from farming;
- (2) one member who is a representative of the Agricultural Advisory Committee and has been recommended to the Executive by the AAC;
- (3) one member who knows rural preservation techniques through practical experience and training;
- (4) one member who knows roadway engineering through practical experience and training; and
- (5) three at-large members to be drawn from other users of rustic roads. Examples of the at-large members include, but are not limited to: a table crop farmer who does not earn more than 50 percent of their income from farming; an expert in tourism or historic sites along the roads; a member of a religious institution on a rustic road; an operator of an agritourism business, such as a winery, brewery, farm stand, or recreation or entertainment venue on a rustic road; or a person who regularly uses the roads to engage in or reach places for outdoor recreation, such as to bike, boat, kayak, hike, fish, ride horses, or go birding.

Agricultural Representatives are needed on the following Boards and Committees

Rustic Roads Advisory Committee-DOT Staff ????

Water Quality Advisory Work Group-DEP Staff Amy.Stevens@montgomerycountymd.gov
Travis Gorleski requested to serve as the agricultural representative of the WQAWG.

Agricultural Preservation Advisory Board-OAG Staff Mike.Scheffel@montgomerycountymd.gov
Non-Farmer Member-Nick Deluca
Farmer Member-John Fendrick-Replace with Randy Stabler
Farmer Member-Michael Jamison
The Administration is three years behind schedule on APAB appointments.

Agricultural Advisory Committee-OAG Staff Jeremy.Criss@montgomerycountymd.gov
The deadline to apply for appointments to the AAC was April 26, 2023. Action is needed on all 15 members of the AAC because the Administration is three years behind schedule.

Next Meeting of the AAC is June 20, 2023, at 7:00 pm

Upcoming Meetings and Events:

Montgomery Soil Conservation District Board of Supervisors-May 12, 2023
Agricultural Advisory Committee-May 16, 2023
Agricultural Reserve Tour-Council Member Dawn Luedtke-June 2, 2023
Montgomery County Farm Bureau Board of Directors-June 6, 2023
Agricultural Reserve Tour-Leadership Montgomery-June 9, 2023
Montgomery County Farm Bureau Picnic-June 11, 2023
Agricultural Preservation Advisory Board-June 13, 2023
Agricultural Reserve Tour-Moco Food Council-June 14, 2023-Two Council Members attending.
Agricultural Advisory Committee-June 20, 2023
Community Solar Webinar-MCA, MC Green Bank,OAG-June 22, 2023
Annual Farm Tour Weekend-July 22 and 23, 2023
Montgomery County Agricultural Fair-August 11-19, 2023
Agricultural Leaders Luncheon-August 14, 2023