



AGRICULTURAL PRESERVATION ADVISORY BOARD

June 17, 2022

The Honorable Gabe Alborno, President
Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

Re: Bill 13-22, Buildings- Comprehensive Building Decarbonization

Dear Council President Alborno,

The Montgomery County Agricultural Preservation Advisory Board – APAB met on June 14, 2022, for its regularly scheduled meeting. During the meeting, Bill 13-22 was discussed, and the Board moved and approved providing testimony against the bill while providing amendments.

The agricultural community continues to feel it would be most productive if the Council would reach out to the agricultural groups prior to introducing legislation to ask if proposed legislation would adversely affect farmers. Bill 13-22 as proposed would prohibit farmers from installing new grain bins and drying systems, building new green houses and aquaponic operations with industry standard heating units, and would stifle scaling up local food production. If the agricultural groups were provided the opportunity to review the bill and provide feedback, these comments would have been provided before introduction.

When the Council was considering bill 16-21, Building Energy Performance Standards, the APAB asked that agricultural structures be exempt from the bill's coverage. As noted in our letter late last year, Washington State, which passed similar building energy performance standards, exempted "agricultural structures" from the requirements of the standards, such structures being defined as structures:

“designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products, and that is not a place used by the public or a place of human habitation or employment where agricultural products are processed, treated, or packaged.”

The Council declined to adopt such an exemption into the County's Building Energy Performance Standards. If the County is serious about becoming food secure, more greenhouses will need to be built. These greenhouses require heating units powered by LP gas. An outright ban on industry standard units is counterintuitive for a County committed to increasing food security. The APAB urges the Council to incorporate an agricultural structure exemption from Bill 13-22.

Sincerely,

Michael Jamison, Chairman

cc: Marc Elrich, County Executive
Jeremy Criss, Director, Office of Agriculture

Office of Agricultural Services

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