

**Montgomery County Agricultural Advisory Committee  
Meeting Minutes  
July 18, 2023**

**Attendees:** Aliza Silver, Amanda Cather, Doug Lechliden, Jane Evans, Lori Larson, Pete Driscoll, Russ Allnutt, Lori Larson

**Guests:** Margaret Chasson, Ellen Gordon, Tim McGrath, Marcia Kingman, Michelle Sosa

**Staff:** Jeremy Criss, Chuck Schuster, Jake Adler

**Call the meeting to Order and Introductions** - 7:02

**Approval of the June 20, 2023, AAC minutes-** Approved as corrected (Evans/Driscoll)

**1. Bill 40-21, Individual Water Supply and Sewage Disposal Systems – Amendments**

The OAG will continue to monitor this bill, which will be scheduled for a second T&E Committee Work Session.

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230307/20230307\\_3A.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230307/20230307_3A.pdf)

**2. Bill 18-22, Noise Control – Leaf Removal Equipment – Amendments**

The County Council tabled this bill, but the OAG will continue to monitor it.

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230321/20230321\\_4G.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230321/20230321_4G.pdf)

**3. MDA News Release on the Privatization of the Nutrient Management Program**

Natalia Salazar represented the Office of Agriculture during the July 17, 2023, meeting that MDA is hosting for farmers and Natalia reported the following.

The MDA announced that it will enter into a three-year MOU with UMD to continue funding UMD Nutrient Management Advisors, to be renewed annually and contingent upon funding. During that time, MDA and UMD will seek more permanent funding for the UMD Nutrient Management Program. A new 30-member Farmer Taskforce will be formed to provide guidance to MDA and UMD regarding ways to improve nutrient management plans to be more practical for farmers to implement. With input from this task force, MDA and UMD aim to develop a nutrient management software that is better suited to modern agricultural practices, based on

more current research, easier to use, and offers web-based accessibility on a variety of devices. In order to better equip farmers to write their own plans, MDA will be hiring a Nutrient Management Training Coordinator and work with UMD to offer more online training opportunities. For more information, visit.

[https://mda.maryland.gov/resource\\_conservation/Pages/farmer\\_information.aspx](https://mda.maryland.gov/resource_conservation/Pages/farmer_information.aspx).

Doug Lechluder said that he prepares the Nutrient Management Plan-NMP for his Laytonsville Turf Farm. Chuck Schuster said that approximately 30% of Maryland NMP are written by the University of MD-Extension-Nutrient Management Advisors. Amanda Cather said that UMD is moving the program out of the Department of Environmental Science and Technology and into UMD-Extension. They hope this move will improve the program. Doug Lechluder said that they are trying to modernize the NMP software and develop a program where a farmer could use on their phone or tablet while in the field. Doug said the Dean's overview of the program was lacking. Jinhee Kim will now have oversight of the program.

#### **4. Office of Legislative Oversight (OLO) Report on the Status of Transferable Development Rights (TDRs) and Building Lot Termination (BLT) Easements**

**There is no update on this OLO Report that will be scheduled before the Planning Housing and Parks Committee after the summer recess and Labor Day weekend. The OAG is proposing the attached Letter of Intent/Interest for any farmer that leases farmland that still has retained TDRs as these farmers will need the ability to use these retained TDRs as equity to help purchase the farm. The OAG hopes this approach will enable the MNCPPC to better understand how many TDRs they will need to be planned for in TDR Overlay zones.**

The OLO report is a very well written history of the development of TDRs. It seems the report will be taken up after the summer recess and Labor Day Weekend and will go to Planning and Parks Committee chaired by Andrew Friedson, who is really a champion of the farming community. His office asked to meet with Jeremy during August.

One thing the report recommends that Jeremy disagrees with is that they want farmers to enter into TDR easements by a certain sunset date. Once the farmer encumbers their property with a TDR easement, it will restrict the property. If the County does not deliver on creating the receiving area capacity, then the farmers are stuck with the farm restrictions and have nowhere to sell their TDRs. Jeremy proposes a letter to put the Council on notice how many TDRs they need to plan for. Many speculators bought farms prior to creation of the Agricultural Reserve and they don't want anything to do with entering into a contract with the County and their understanding with the tenant farmer is if you want to buy the farm you have to buy the whole bundle of rights including the TDRs and if you want to enter into the TDR program the tenant farmer can do that on their own. The sunset provision is upside down. We now know what the total number of TDRs the County needs to create for total demand is 4,565 TDRs. The County Government and Park and Planning made a commitment to the farmers when creating the Agricultural Reserve that sufficient TDR receiving capacity would be created for help restore a portion of the lost land equity from the down zone.

#### **5. Update on the October 2023 Retirement of Jeremy Criss, Director of the Office of Agriculture**

**The position for the new Director of the Office of Agriculture was advertised during the entire month June. The candidates that applied are being reviewed by the Assistant Chief Administrative Officer and she will select the members of the interview panel from the farmers and other folks that the OAG provided. The OAG also provided interview questions for consideration we hope that interviews are scheduled soon.**

Jeremy's position was advertised over June and five people applied and three are not eligible. Since only 2 individuals meet the qualifications, the position will be advertised for three more weeks.

The leaders of the ag groups are on the interview committee. Doug is the chair of the committee. Eleanor Leak is an alternative to sit in.

#### **6. Amendments to Chapter 49 Streets and Roads-Rustic Roads Advisory Committee-**

**On June 20, 2023, the County Council introduced Bill 30-23 to amend the section in Chapter 49, Article 8 on the Rustic Roads Advisory Committee. The public hearing was on July 11, 2023, the Transportation and Environment Committee work session will take place on July 17, 2023, and action by the full Council will take place on July 25, 2023. Please see the attached letter from the Agricultural Advisory Committee.**

Yesterday was the T&E work session on the amendments to Chapter 49, the rustic roads program and advisory committee. Lori helped to write the letter that was remitted on July 5. As of yesterday, Marilyn Balcombe has recommended to support Dawn Luedtke's request to add commodity farmers for the three farmers that have to earn 50% or more of their income from farming and be engaged in farming; the requirement to own a commercial farm was removed. It prevailed with a 2-1 vote. It will go to the full Council next week. They also supported that a member be a member of the AAC who would be selected and recommended by the AAC to sit on the committee.

The County will also need to update the zoning code, the master plan, and the executive regulations. Council Staff suggested for the provision in the regulations that dictate how maintenance of the roads that are deemed rustic must be done in such a way to promote safe travel of motorists and farm equipment, and recommended to remove the reference to farm equipment. The Council voted for the safe removal of farm equipment not be removed.

OAG sent a letter to the T&E Committee thanking its members for its work yesterday. The full Council will have this letter before next Tuesday when they vote on the committee make up. Doug asked if it would be more effective if that letter came from AAC as opposed to OAG. The Committee supported sending the letter to the Council. Doug Lechlinder said he believes the letter is effective and that he will send the letter to the Council on behalf of the Committee in light of the pressure from the Administration. Doug Lechlinder asked everyone to thank Councilmember Dawn Luedtke when you can.

[https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230620/20230620\\_1C.pdf](https://www.montgomerycountymd.gov/council/Resources/Files/agenda/col/2023/20230620/20230620_1C.pdf)

7. The OAG remitted the **attached Report** on the status of Farm Alcohol Production to the County Council. This is the second biennial report since the ZTA 20-01 was adopted in October 2020.

Today OAG met with members of Montgomery County Economic Development Corporation-MCEDC including Bill Thompson, the new Executive Director of the corporation. Jeremy told him that since the Department of Economic Development-DED was terminated, where Agricultural Services was a Division of the DED, Agriculture is no longer considered equal with other forms of economic development in the County. Agriculture was strongly supported by DED with marketing assistance and other resources, but, the MCEDC does not have anything to do with agriculture and this outcome is very unfortunate. Jeremy shared the findings from the Farm Alcohol Production Report and growth in the number of jobs and economic contribution to the County. FAP businesses contributes \$12.7 million to the County's economy and it created 245 full time and part time jobs. Jeremy suggested other ways OAG can partner with the MCEDC corporation.

8. The Annual Farm Tour and Harvest Sale will be held this coming weekend-July 22 and 23, 2023. Please see the link below to access the brochure which features 21 farms.  
<https://montgomerycountymd.gov/agservices/farm-to-table/farm-tour.html>

It's hot in July, but this is when the farmers asked the County Government for help when the Farm Tour started in 1989 – on the fourth weekend of July. Farmers say this is one of the more lucrative weekends of the year.

9. **Agricultural Advisory Committee Appointments**

Interviews for new AAC candidates were conducted on May 31, 2023. The interview committee was Doug Lechliger, Mike Scheffel, Natalia Salazar, and Jeremy. Since the Administration is three years behind all 15 member appointments to the AAC are needed at the same time. There are several vacancies and we have been informed that the County Council is pushing back on requests for waivers for additional terms. In view of these challenges, I do not believe I will be able to address the new appointments to the AAC before I retire on October 1, 2023.

The Administration is three years behind in its appointments. They're supposed to have 1/3 of the members addressed each year, but since they're behind, all fifteen members need to be addressed at the same time. Three of our members started their first terms as partial terms. Jeremy is asking for waivers for additional terms. The Council doesn't want to grant waivers. As a result, the AAC may end up being shorthanded. We'd end up with four vacant farmers. This is a problem. Jeremy is working with the Executive's staff to try to get the waivers for additional terms.

10. **Next Meeting of the AAC is August 15, 2023, at 7:00 pm - Please note that this meeting is during the Montgomery County Agricultural Fair week, and it may be cancelled.**

Traditionally we don't meet in August, but we could meet after the Ag Leader's Luncheon if we have business to conduct. We'll reschedule the AAC meeting in September to September 26<sup>th</sup> to avoid the conflict with the MSCD Cooperators Dinner that same evening.

11. **Motion to Adjourn** (Silver/Driscoll) 7:57