



OFFICE OF AGRICULTURE

Isiah Leggett
County Executive

Jeremy V. Criss
Director

Agricultural Advisory Committee Meeting Minutes June 19, 2018

1. **Meeting Called to Order-7:01 pm** Attendance-Peter Driscoll, Chuck Schuster, Patrick Jamison, Linda Lewis, Ben Allnut, Jane Evans, Michele Cropp, Doug Lechlides, Eleanor Leak Guests-Steve Robinson Staff-Jeremy Criss
2. **Approval of the May 15, 2018 AAC Meeting Minutes.** Evans/Cropp
3. **The County Council passed ZTA 18-01 Solar Collection System that proposes 2-megawatt community solar in all zones with exception to Agricultural Zone. Accessory Solar (120% of onsite energy consumption) will continue to be allowed in the Agricultural Reserve-AR zone. Please note that one megawatt of solar panels ranges from 6 to 10 acres in size depending on the property. The effective date of the ZTA 18-01 is June 4, 2018.**

https://www.montgomerycountymd.gov/COUNCIL/Resources/Files/zta/2018/20170515_18-43.pdfhttp://montgomerycountymd.granicus.com/Viewer.php?view_id=169&clip_id=15077&meta_id=157490

Staff explained how the Agricultural Preservation Advisory Board-APAB approved a policy surrounding how community solar installations outside of the Agricultural Reserve-AR zone will be reviewed for properties encumbered by agricultural and conservation easements. The APAB will limit the size of these installations to no more than 5 acres and prohibit the installations on prime and productive soils. There is a provision in the policy that may allow larger installations on a case by case basis. Doug asked if the installations will have an impact of value of farmland. Jeremy said that Solar companies are offering financial incentives to cover the costs of installations included the use of the land where the solar panels are located. Chuck said he would like to see installations that can accommodate both agricultural uses and power generation on farm properties. The Committee discussed types of solar installations in other areas of the country where agricultural uses continue and these installations are above 5 acres in size.

4. **During the May 15, 2018 public hearing on ZTA 18-03 Farm Alcohol Production-Standards, Nancy Navarro asked to be included as a cosponsor. Seven of the nine**



Council members are now signed on to the ZTA 18-03. The PHED Committee Work Session is now scheduled for July 9, 2018.

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&clip_id=15077&meta_id=157498

Doug reviewed the speakers during the public hearing on ZTA 18-03 and how seven of the nine council members are supporting it as introduced. There are several amendments being considered including a requirement that certification of nutrient management plans to show property owners have an updated plan. There are discussions surrounding a requirement of a minimum lot size. Jeremy recommends that the DPS and the OAG should review properties for Farm Alcohol Production on a case by case basis rather than requiring a minimum lot size. The Committee discussed how the agricultural production requirements for farm alcohol production is more difficult for a farm brewery as compared to a farm winery. Jeremy said that he believes this ZTA 18-03 will create demand and market for small grains use in the production of farm breweries.

- 5. During the May 15, 2018, public hearing on ZTA 18-04, the County Council acknowledged the proposed amendments by the County Executive to limit the scope of Non-Conforming uses in place prior to October 2014 that can be expanded. The Davis Airport is the subject of the ZTA and the County Executive's amendments to limit the scope of the ZTA have been well received by the Council.**

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&clip_id=15077&meta_id=157500

Jane Evans said she drove into Davis Airport to better understand the improvements to the airport. Doug said he is not sure what improvements have been made to date. Patrick asked what is the basis for this ZTA 18-04. Jeremy explained how non-conforming uses are those uses in place prior to June 1, 1958 which is the date of the first zoning code publication pertaining to Up County. All non-conforming uses prior to 1958 can continue, but they cannot be expanded. The ZTA 18-04 will allow non-conforming uses like the Davis Airport to expand provided the Federal, State, or County Government specifically requests the expansion with a justification.

- 6. Follow up on the DNR proposed changes to the 2018-2019 hunting regulations. The DNR does not support Montgomery County to be designated as a Suburban Deer Archery Zone and exempt from bag limits for both antlered and antlerless deer. The DNR published in the Maryland Register a maximum bag limit of 15 deer for both antlered and antlerless deer. The deadline to provide additional comments is July 9, 2018.**

The MD DNR advocates that deer management permits issued to farmers are not being filled and that farmers need to do a better job of using these permits to reduce deer herds on their farms. Some rural counties (Carroll County) are reporting very low numbers of deer. Many rural counties where deer management permits are issued are being filled. Patrick Jamison said that many hunters are watching for the male-buck deer that they want to shoot and they are not hunting female-does that are producing numerous fawns that contribute to additional crop losses. Patrick said that no one wants to harvest deer with deer management permits during the summer months when the deer are filled with ticks and other diseases. The farmland located adjacent to public parkland continues to

have the greatest report of crop loss. Doug Lechliden said another letter to the MD DNR will probably not do any good. It was suggested that farmers need to have a conversation with Governor Larry Hogan on the issue of deer management and the new hunting regulations.

- 7. There have been six Agritourism Study Advisory Committee meetings (November 29, 2017, January 17, 2018, February 21, 2018, April 2, 2018, April 18, 2018 and May 16, 2018. The seventh and final? ASAC meeting is June 20, 2018. The Agritourism Advisory Committee has agreed on some agritourism definitions for greater clarity including a list of questions that DPS and OAG staff will ask for agritourism requests. The MNCPPC staff proposed how the Agritourism review and approval process will link with Heritage Montgomery Management Plan with the Transportation section of MNCPPC including Rustic Roads. Additionally, the MNCPPC have secured a contractor to help them investigate the types of agritourism activities going on in other jurisdictions.**

The Committee discussed the items that the ASAC has agreed on for venues involving agritourism. The ASAC has agreed to accept the current definition of agricultural education and agricultural tourism that is outlined in Chapter 59.3.2.6 which is included under the definition of farming. The ASAC has agreed to not accept the definition of agritourism as outlined in House Bill 252. The ASAC has agreed on a list of questions that staff representatives from the DPS and OAG will review for all venues involving agritourism. Michele Cropp explained her frustration with the ASAC process and how the consultant has just recently been hired to evaluate agritourism and make recommendations. Ben asked how the Heritage Tourism gets a share in the ASAC process.

- 8. Promotion of Gleaning food to be donated to people in need with the benefits of the Tax Credit for donating food. The following farmers have indicated they will work with Community Food Rescue to donate food this season. Lewis Orchard, Butlers Orchard, Red Wiggler Community Farm, Waters Orchard, Chocolate and Tomatoes and One Acre Farm. <http://news.maryland.gov/mda/press-release/2017/09/11/food-donation-tax-credit-pilot-program-now-in-effect-southern-maryland-farmers-eligible-for-up-to-5000-state-tax-credit/>**

Michele said that farmers can choose who they want to glean agricultural products to. Linda said there is a new system for the \$5,000 tax credit limit for this year. Linda said that last year she completed her taxes before the final details were completed on the tax credit.

- 9. On July 20, 2018, the agricultural agencies will sponsor an event to celebrate the 50th Anniversary and Recognition of Conservation Tillage including no till farming in the County. The event will consist of an optional tour of farms in the morning with a luncheon and short program at the County Agricultural Fair. We are looking for funding sponsors for the luncheon. We have the several county farmers offering to contribute funding for the event. Please let Jeremy know if your family farm wishes to contribute.**

Jeremy reported that a list of invitees has been developed that totals 150 farmers and 45 elected officials. We are planning for one bus that will hold 40 people that will take

people to the Jamison farm on a first come first served basis. The event will be catered by Mountain Gate that has done some agricultural events in the past.

10. County Council Confirmation for appointment to Rustic Roads Advisory Committee-Lonnie Luther new farmer member.

11. Update on the new County Executive appointments to the Agricultural Advisory Committee.

Jeremy reported that all new appointments to the AAC should be confirmed by the County Council in July 2018.

12. Please see the 29th Annual Farm Tour and Harvest Sale Brochure-July 28-29, 2018.

13. The next meeting of the Agricultural Advisory Committee is Tuesday July 17, 2018 at 7:00 at the Holy Cross Germantown Hospital.

Upcoming Meetings and Events:

Ag Advisory Committee-June 19, 2018 @ 7:00pm-Holy Cross Hospital

Agritourism Study Advisory Committee-June 20, 2018 @ 6:00pm-AHFP

Montgomery County Farm Bureau Board of Supervisors-July 3, 2018@ 7:00pm

Agricultural Preservation Advisory Board-July 10, 2018 @7:00pm

Montgomery Soil Conservation District Board of Supervisors-July 13, 2018@ 9:00am
50th Anniversary and Recognition of Conservation Tillage-July 20, 2018

Additional items that were discussed

Michele asked for the status of farmers visiting the former sludge composting operation in Calverton to inspect the buildings for possible relocation to farms. Jeremy said he needs to follow up on this issue.

Linda Lewis asked when the meeting of River Road residents will occur to discuss the dust concerns along the road. Jeremy said he needs to follow up on this issue.

Patrick Jamison said there are several weight restricted bridges/signs in the Poolesville area that are impacting farmers. Jeremy said he will include the County's Bridge Inventory report as part of the next AAC meeting.

Linda Lewis asked if anyone knew about the Poolesville Street Scape Plan. Jeremy said he was aware of it although not in detail.

Motion to adjourn the meeting-Cropp/Lewis