



State of New Jersey

BOARD OF AGRICULTURE

MINUTES OF MEETING

April 19, 2023

(Wednesday)

Public meeting notice was certified by communication on April 13, 2022.

Pursuant to N.J.S.A. 10:4-6 et seq. adequate notice of this meeting has been provided by giving written notice of the time, date, location and to the extent known the agenda of this meeting. At least 48-hours in advance this notice has been posted on the third floor, Riverview Plaza, Trenton, New Jersey; mailed to the Newark Star Ledger; the Camden Courier Post; the Philadelphia Inquirer and filed with the Office of the Secretary of State.

President David DeFrango called the New Jersey State Board of Agriculture to order at 12:56 pm. Board members in attendance included President David DeFrango; Vice President Dr. Ernest Beier, Paul Hlubik, Debbie Norz, Warren Hollinger, Holly Sytsema Kurt Alstede and Lisa Specca. The meeting was held at 200 Riverview Plaza, Trenton, NJ.

Also in attendance were Secretary Douglas Fisher; Dr. Amar Patil, Director, Division of Animal Health; Rose Chamberlain, Director, Division of Food & Nutrition; Assistant Secretary of Agriculture Joe Atchison, Director, Division of Marketing & Development; Joe Zoltowski, Director, Division of Plant Industry; Frank Minch, Director, Division of Agricultural & Natural Resources; Chuck Roohr, SADC; Christina Rasiewicz, Robert Vivian, Jeff Wolfe and Jeff Beach, Office of the Secretary. Also in attendance were Peter Furey, NJ Farm Bureau; Dr. Brian Schilling, Rutgers University; Sarah Fenwick, Farm Service Agency, Katura Wright, NRCS, and Linda Walker, NJ Department of Agriculture.

MINUTES OF PREVIOUS MEETING

ON the MOTION of Paul Hlubik, seconded by Kurt Alstede, the Board voted unanimously to approve the minutes of the March 22, 2023 regular meeting.

PUBLIC COMMENT

Jeff Burd, Mercer County Board of Agriculture, thanked Secretary Fisher and Plant Industry Director Joe Zoltowski for their help with a recent problem in a town regarding a bee issue.

SECRETARY'S REPORT

Secretary Fisher made the following comments:

He reported that recently, when there was an unexpected freeze on a weekend, he along with Division Director Frank Minch, were able to reach out to DEP to secure the freeze exemption for farmers and have it posted on the website so that all had the appropriate information. He reported that the new Jersey Fresh "Grown Right. Here." ads will soon be seen and heard. The Department was currently preparing for their upcoming budget hearings with one before the Senate and Assembly. He noted that there is a great deal of interest in the upcoming budget hearings.

Joe Atchison, Assistant Secretary, Director, Division of Marketing & Development, reported that since the last Board meeting, he met with representatives from the Department of Health related to the serious concerns that the agricultural community has with the FMNP. He noted that while they are trying to address several of the concerns that were mentioned, the issue of the machines continues. He attended a meeting of the Aquaculture Advisory Committee's Marketing Committee, and they discussed several decisions that need to be made and that they will be looking for possible grants that would help fund some of the projects they are hoping for. He reported that he and Christine Fries would be travelling to the Toronto for the Canadian Produce Marketing Trade Show. He attended the Food Export Conference in Philadelphia where he talked about the idea of processed products with New Jersey farm inputs as part of that program. The Jersey Fresh Event Days for the Summer are blueberries on July 8; grape tomatoes on July 26 and August 22 will be peach day at Seaside, Atlantic City and Wildwood Boardwalks. The Jersey Fresh campaign has been launched, currently asparagus is being highlighted on the radio and billboards. He noted they would be doing some Jersey Grown radio spots as well.

Rose Chamberlain, Director, Division of Food & Nutrition, reported that the Farm to School Coordinator was presenting at the Farm to Institution Summit on the success of our New Jersey Farm to School Program. In addition, staff in the Summer Food Service Program has already received 150 sponsor applications for the upcoming summer program. The SSO which is under the NSLP is also ramping up, the IT staff has been making revisions and look forward to sponsors using the online application system. The Fresh Fruit & Vegetable application has been released and is available for the first time in SNEARS, the school nutrition electronic application and reimbursement system and they are expecting a lot of applications. She noted that staff are attending the American Commodities Distribution Association (ACDA) Conference in Anaheim, CA, where our staff member would be presenting on New Jersey's program.

Joe Zoltowski, Director, Division of Plant Industry, reported that SLF crews are still scraping egg masses but gearing up for treatments. He noted that the Division got new their new vehicles after many years, and this will help with the treatments going forward. He reported that he met with municipal crews recently and he reviewed the process with them.

Chuck Roohr, Deputy Executive Director, SADC, reported to the Board that they had recently backfilled one of their attorney positions and that Christine Walsh, who has her undergraduate degree in agriculture and recently served as a member of the Mercer County CADB, is now serving in that capacity.

He reported that since the last meeting with the SPS Committees, staff are revising some sections to include new language and adding a new section for innovation waivers. He reported that the recently approved SOE law needed some guidelines and staff has prepared an overview of the program rules, what they believe to be a list of FAQs and a sample draft application. In addition, staff have prepared a webinar on the topic that is available on the SADC's website, and they are making some presentations on this topic in person as well.

Board member Kurt Alstede asked several questions regarding what the timeline he was looking at for the SPS process to be acted upon by the SADC. Mr. Roohr commented that he did not know when the SADC would be taking action. He noted that there were still several steps prior to publication for public comment. He asked again about the status of the maps and Mr. Roohr commented that maps will be printed once all the language is in place.

Board President commented that the Board's SPS Committee would be willing to meet again if further discussions were needed.

Dr. Amar Patil, Director, Division of Animal Health, reported that in response to a Highly Pathogenic Avian Influenza (HPAI) detection in a New York live bird market, the Division of Animal Health identified epidemiological links to NJ-based live bird markets on April 4, 2023. These markets conducted a sell-down and cleaning and disinfection, some of which opted for the routine environmental sampling after. Each market reported no illness in birds. On March 31, the control and surveillance zone associated with the HPAI detection in Bucks County, PA, which extended to Mercer and Hunterdon County was released. He noted that the Division of Animal Health has conducted over 200 HPAI investigations and done more than five hundred various lab tests. Finally, he reported that a new field veterinarian would be starting the following week and that would help greatly. There are concerns in the industry on how HPAI cases could be handled for commercial producers as well as back yard flocks.

Frank Minch, Director, Division of Agricultural & Natural Resources, has been attending many meetings with various divisions of DEP on topics such as potable water, septic and irrigation, climate change idea, air permitting, etc. In addition, there will be additional informative meetings on the new septic regulations. He noted that inspections will be starting on the surveys that were completed. Finally, he noted that the flood plain and coastal zone rules will continue to be addressed at an upcoming meeting.

BOARD MEMBER COMMENTS

Lisa Specca reported that she had recently returned from a trip and that she had not attended her county assignments. She noted that that Atlantic County Board of Agriculture is planning a legislative event at Walking Bird Farm on May 30 and Camden County Board of Agriculture would be meeting the following evening.

Kurt Alstede stated that that they had received hail over the previous weekend and there was great concern by fruit growers that there would be damage. He noted that apples are approaching full bloom. He noted that weather conditions had been dry but that fruit growers prefer it that way. He noted the concern for labor and the state of the economy.

Barney Hollinger reported that Cumberland County meets the following evening and that at the Cape May County Board of Agriculture they discussed the chicken dinner at the County Fair and mentioned concern about some of the classes at Cape May County Technical School due to the ag program being downsized and some classes being eliminated.

Holly Sytsema commented that in Sussex County bear are emerging from hibernation and there have already been a few situations. She has stressed the importance of reporting the incidents to DEP. She noted that all the positions on the CADB have been filled so business can take place. She noted that a group of FFA speakers were present at their meeting and was so encouraged to see their enthusiasm. She assured everyone at the Sussex County Board of Agriculture meeting that the SPS were still being reviewed and there is still concern. She noted that the warm temperatures last week coupled with the tremendous rain/hail over the weekend was of great concern for many and encouraged them to reach out to FSA. She noted that there is concern for the number of ash trees that are down and recent forest fires have many concerned.

Debbie Norz reported that Union County will meet next in June. Somerset County Board of Agriculture donated a jacket for the FFA program. All the proceeds from the program book for Ag in Action on 06/10/23 will go to the Tom Everett Scholarship Fund. The Scholarship will be given out at Ag in Action. Great discussion on what the Board of Managers should be focused on.

She updated the Board on several legislative updates that the Department is following. She noted that she had seen the new billboards and they look great!

Paul Hlubik reported that prior to the Monmouth County Board of Agriculture meeting, they held a dedication to former legislator Ron Dancer thanking him for his lifelong dedicated service to NJ agriculture. He noted that several speakers were on-hand to unveil a plaque on the Wall of Fame. He reported that the Policy Committee would be preparing an updated spreadsheet of what the committee is working on. He noted that the recent weekend weather showed that a tornado had touched down in Jackson. He stated that damage is still being assessed.

Vice President Beier commented that he had missed the last meeting. He reported that Gloucester County is getting ready for the upcoming season. He noted that Salem County had a brief meeting and that they are getting ready to be in the fields. He noted that this is the time of year for animal birthing's. He noted that they did not get the amount of rain that everyone else had.

President DeFrang reported that the nursery industry was happy to get the rain that they did and did not have to irrigate. He noted that Hunterdon and Morris Counties talked about some of the same hot topics that others have mentioned, SPS, labor shortage, etc. He noted that we need to update Eileen Murphy, on the New Jersey Forest Stewardship Taskforce, that we are reviewing the information on behalf of the Board.

ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, to update Eileen Murphy on the New Jersey Forest Stewardship Taskforce that we are reviewing the information on behalf of the Board.

REPORT OF RUTGERS UNIVERSITY

Dr. Brian Schilling represented the College and reported on the following topics:

- Strike at Rutgers has caused a stall with discussions still in process.
- Hemp work continues, working with Department.
- Noted that Michelle Casella and others are working to be sure county extension staff understand the differences and look forward to the clarifications that are being provided.
- Staffing, making some progress – 15 positions are currently being recruited.
- Facing retirements of some important positions going forward.
- Farm Viability – listening sessions went extremely well.
- Graduation next week for NJALDP Class 12. Recruitment is underway for the next class.

REPORT OF FARM SERVICE AGENCY

Sarah Fenwick reported the following:

Grasslands CRP Signup 205

USDA Farm Service Agency's (FSA) grassland Conservation Reserve Program (CRP) is a voluntary program that contracts with agricultural producers to help landowners and operators protect grassland, including rangeland, pastureland, and certain other lands, while maintaining the areas as grazing lands. The program emphasizes support for grazing operations, plant and animal biodiversity, and eligible land containing shrubs and forbs under the greatest threat of conversion. CRP participants develop and implement conservation plans that work alongside their haying and grazing operations. In return, FSA provides participants with rental payments and cost share assistance. Contract duration is between 10 and 15 years. Accepted contracts for this grassland CRP signup period will become effective October 1, 2023. The signup period for Grasslands CRP Signup 205 opened on April 17, 2023 and will run through May 26, 2023.

Emergency Relief Program – Phase 2 (ERP Phase 2)

ERP is authorized under the Extending Government Funding and Delivering Emergency Assistance Act, which includes \$10 billion in assistance to agricultural producers impacted by wildfires, droughts, hurricanes, winter storms and other eligible disasters experienced during calendar years 2020 and 2021.

Phase Two builds on ERP Phase One, which was rolled out in May 2022.

Phase 2 is a tax year-based certification program that provides assistance for producers that suffered a loss in revenue due to necessary expenses associated with losses of eligible crops (excluding crops intended for grazing), due in whole or in part, to a qualifying disaster event that occurred in the 2020 or 2021 calendar year.

Qualifying natural disaster events include wildfires, hurricanes, floods, derechos, excessive heat, winter storms, freeze including a polar vortex), smoke exposure, excessive moisture, qualifying drought, and related conditions.

The enrollment period for ERP Phase 2 began on January 23 and will run through June 2, 2023.

Pandemic Assistance Revenue Program (PARP)

PARP is authorized and funded by the Consolidated Appropriations Act of 2021.

PARP provides assistance to producers of agricultural commodities who suffered at least a 15% decrease in allowable gross revenue for the 2020 calendar year, as compared to either 2018 or 2019 as elected by the applicant. The enrollment period for PARP began on January 23 and will run through June 2, 2023. Since PARP has limited funding, no payments will be issued until after the enrollment period ends and a determination of whether a payment factor will apply is made. Please see your appropriate County Office or the attached Fact Sheets for more details. Fact Sheets are also available at farmers.gov.

Pandemic Market Volatility Assistance Program

PMVAP assists producers who received a lower value due to market abnormalities caused by the pandemic and ensuing Federal policies. As a result of the production cap increase, USDA's Agricultural Marketing Service (AMS) will make PMVAP payments to eligible dairy farmers for fluid milk sales between five million and nine million pounds from July through December 2020. This level of production was not eligible for payment under the first round of the PMVAP. Payment rates will be identical to the first round of payments, 80 percent of the revenue different per month, on fluid milk sales from five million to nine million pounds from July through December 2020. USDA will again distribute monies through agreements with independent handlers and cooperatives, with reimbursement to handlers for allowed administrative costs. USDA will contact handlers with eligible producers to notify them of the opportunity to participate.

As part of the first round, PMVAP paid eligible dairy farmers on up to five million pounds of fluid milk sales from July through December 2020. The first round of payments distributed over \$250 million in payments to over 25,000 eligible dairy farmers. These dairy farmers received the full allowable reimbursement on fluid milk sales up to five million pounds. More information about the PMVAP production cap increase is available at www.ams.usda.gov/pmvap.

Organic Dairy Marketing Assistance Program

The new ODMAP, to be administered by USDA's Farm Service Agency (FSA), is intended to help smaller organic dairy farms that have faced a unique set of challenges and higher costs over the past several years that have been compounded by the ongoing pandemic and drought conditions across the country. Many small organic dairy operations are now struggling to stay in business and FSA plans to provide payments to cover a portion of their estimated marketing costs for 2023. Final spending will depend on enrollment and each producers projected production, but ODMAP has been allocated up to \$100 million.

The assistance provided by ODMAP will be provided through unused Commodity Credit Corporation funds remaining from earlier pandemic assistance programs. The assistance will help eligible organic dairy producers with up to 75 percent of their future projected marketing costs in 2023, based on national estimates of marketing costs. This assistance will be provided through a streamlined application process based on a national per hundredweight payment. The payments will be capped at the first five million pounds of anticipated production, in alignment with preexisting dairy programs that target assistance to those smaller dairies that are most vulnerable to marketing challenges. This program is still in development.

REPORT OF NATURAL RESOURCES CONSERVATION SERVICE (NRCS)

Katura Wright, Acting State Conservationist provided the following update:

- **NRCS New Jersey Conservation Planning Notice of Funding Opportunity (NFO)**
 - NRCS–NJ is requesting applications for a shared Conservationist Planner for the Hackettstown, Frenchtown, and Columbus Service Centers to provide technical service centers for:
 - Planning associated with the Conservation Technical Assistance Program (CTA), EQIP, and CSP
 - To help NRCS implement the Inflation Reduction Act (IRA) climate smart practices.
 - Conservation practice implementation and certification; and
 - Farm Bill administrative services with data processing and data entry for Conservation Projects.
 - The estimated funding floor for this opportunity is \$100,000.00, and the estimated funding ceiling is \$2,500,000.
 - Applications are due by June 11.
 - The opportunity can easily be found on grants.gov, by entering the following: NOFO0001274.
- **New Jersey Pine Barrens Joint Chiefs' Landscape Restoration Partnership**
 - Applications due by May 5, 2023.
 - This funding is part of more than \$48.6 million provided this year through the Joint Chiefs' Landscape Restoration Partnership, to improve forest health using available Farm Bill conservation programs and other authorities.
 - Accepting applications for forest management activities on private lands for the purposes of
 - Reducing wildfire risk in municipal watersheds and the wildland–urban interface
 - Implementing carbon defense activities
 - Improving habitat for threatened and endangered species
 - Mitigating the effects of Southern pine beetle
 - For forest landowners located in the Pinelands region, which covers portions of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Ocean counties.
- **Inflation Reduction Act Funding for Climate–Smart Practices Extended**
 - Applications for EQIP & CSP under the IRA funding are now due by May 1, 2023.
 - These funds will provide direct climate mitigation benefits for producers to advance conservation through practices like cover cropping, conservation tillage, wetland restoration, prescribed grazing, nutrient management, tree planting and more.
 - A complete list of eligible climate–smart practices can be found on the NJ NRCS website.
- **New Jersey Conservation Innovation Grants**
 - \$380,000 available for the development of new tools, approaches, practices and technologies to further conservation on New Jersey private lands.
 - Individuals, local and state governments, and non–governmental organizations are eligible to apply through May 7, 2023.
 - NJ's priorities are urban agriculture, climate smart agriculture, and forestry/wildlife.

REPORT OF NJ FARM BUREAU

Farm Bureau President Allen Carter was on the phone and wanted to publicly thank Paul Hlubik for coming the Farm Bureau Board of Directors to fill them in on the work being done on the SPS and they felt more at ease knowing who was working on their behalf. Looking forward to the public outcome.

Peter Furey presented the following written report to the Board:

- SPS: pleased with the reported progress from the discussions between sub-committees of State Board and SADC. Anxious to see the final proposed language.
- SOE: pleased to see the comprehensive roll-out of guidelines and forms; encourage further outreach to individual farmers.
- DEP-well/ septic: advised caution to farms who received letter from DEP requesting background info. Also noted the DEP adoption of a new general permit for septic effluent discharge by seasonal labor housing facilities.
- Top legislation priorities for the spring:
 - Tax deduction for farm food donations.
 - New appraisal formula for farm preservation.
 - Legislation for amendment to deer fencing program.
- Requesting status by NJDA of deer fencing rules, please.
- NJAES
 - FY'24 state budget request.
 - Ag viability "listening sessions."
 - Next BOM meeting: April 25 at Eco Complex.
- Requesting status of State Board establishing work group on t-shirt bag use and / or alternatives as per Ag Convention resolution.

REPORT OF NATIONAL AGRICULTURAL STATISTICS SERVICE

Bruce Eklund reported that the National Hemp release has been updated and encouraged all to complete the Census of Agriculture. He noted that May 8 the fruit releases will be made.

OLD BUSINESS

Approval – Rules for Readoption (w/tech. changes) by Notice – N.J.A.C. 2:68– Commercial Feeding Stuffs

Department staff commented that this was for technical changes only.

ON the MOTION of Ernest Beier, seconded by Lisa Specca, the Board voted unanimously to approve Rules for Readoption (w/technical changes) by Notice – N.J.A.C. 2:68– Commercial Feeding Stuffs pursuant to the Administrative Procedures Act.

Approval – Rules for Readoption (w/technical changes) by Notice – N.J.A.C. 2:89 – Aquaculture Development

ON the MOTION of Barney Hollinger, seconded by Debbie Norz, the Board voted to unanimously approve the Rules for Readoption with technical changes by Notice N.J.A.C. 2:89 – Aquaculture Development pursuant to the Administrative Procedures Act.

He noted that they need to engage with the industry to make changes. He reported that we need to be more prepared. Secretary Fisher commented that staffing shortages are a problem.

NEW BUSINESS

Approval – Rules for Readoption by Notice – N.J.A.C. 2:69– Commercial Fertilizers and Soil Conditioners

Assistant Secretary Joe Atchison reported that this was for technical changes only.

ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted unanimously to approve Rules for Readoption by Notice – N.J.A.C. 2:69– Commercial Fertilizers and Soil Conditioners pursuant to the Administrative Procedures Act.

Approval – Rules for Readoption by Notice – N.J.A.C. 2:91 – Animal Waste Management

ON the MOTION of Paul Hlubik, seconded by Kurt Alstede, the Board voted unanimously to approve the Rules for Readoption by Notice – N.J.A.C. 2:91 – Animal Waste Management pursuant to the Administrative Procedures Act.

Approval – Commercial Fertilizer Values

Assistant Secretary Joe Atchison reported that this is for the commercial values and noted that this is in case of penalties for bad fertilizers.

ON the MOTION OF Paul Hlubik, seconded by Lisa Specca, the Board voted unanimously to approve the Commercial Values as presented pursuant to the Administrative Procedures Act.

Approval – Grants Specialty Crop Block Grants

Dr. Ernest Beier took over the meeting to present the Specialty Crop Block Grants

Specialty Crop Block Grants:

Garden State Wine Growers Association	40,000.00
<i>(Women in Wine – Supporting the Emerging Role of Women in the NJ Wine Industry)</i>	
Jersey Fruit Cooperative Assn., Inc.	40,000.00
<i>(Expand local market distribution to increase availability and access of specialty crops grown by family run farms)</i>	
New Jersey Blueberry Growers Association	40,000.00
<i>(Advertising Jersey Fresh Blueberries – 2024)</i>	
New Jersey Peach Promotion Council (NJPPC)	40,000.00
<i>(Jersey Fresh Peaches Buy Jersey – Buy Local Marketing Campaign)</i>	

NJDA – NJDA Jersey Fresh	399,531.00
Rowan University– Nguyen <i>(Early Detection and Mapping of Carolina Redroot in Cranberry Bogs using AI and Autonomous Drones)</i>	39,991.00
Tri–County Cooperative Auction Market <i>(Specialty Crop – Outreach, Advertising and Website Development Project)</i>	40,000.00
Urban Agriculture Co–op <i>(Improving the Aggregation and Transportation to Newark and expanding to Jersey City for Rural and Urban Specialty Crop)</i>	40,000.00
NJDA Grants Administration	37,406.71

ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted unanimously to approve the list of grants as presented with the exception of the following:

Mercer County Community College <i>(Fund the JKC Garden Project and the Horticulture Programs)</i>	18,698.04
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ON the MOTION of Barney Hollinger, seconded by Paul Hlubik, the Board voted to approve this grant as presented.

David DeFrance recused from the discussion.

New Jersey Agricultural Society <i>(FarmVoice Studios: Telling the Stories of NJ's Specialty Crop Farmers)</i>	40,000.00
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ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted to approve this grant as presented.

Debbie Norz and David DeFrance recused from the discussion.

Rutgers University – Heckman <i>(Nickel Nutrient to Mitigate Blossom End Rot Abiotic Stress in Tomato and Bell Pepper)</i>	39,743.00
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ON the MOTION of Holly Sytsema, seconded by Paul Hlubik, the Board voted to approve this grant as presented.

Lisa Specca recused from the discussion.

Approval – Charity Racing Day Grants

ON the MOTION of Barney Hollinger, seconded by Paul Hlubik, the Board voted unanimously to approve as presented.

Approval – Meeting Dates

President DeFrance announced that the Board was presented with meeting dates for the State Board through 2024 and asked for approval so that the information can be made available to the agricultural community.

ON the MOTION of Paul Hlubik, seconded by Debbie Norz, the Board voted unanimously to approve the calendar as presented.

Board member Debbie Norz asked for the Board to approve the letters thanking legislators for the recent passage of the SOE and Right to Farm for Aquaculture.

ON the MOTION of Kurt Alstede, seconded by Paul Hlubik, he asked that the Board President have the authority to send out routine correspondence without Board action.

Board member Kurt Alstede commented that he had provided information the evening prior to the meeting for them to consider.

President DeFrage commented that he appreciated the information that was provided by Board member Kurt Alstede but that the Committee has worked extremely hard to get to where we are, and the Committee is not finished quite yet, and they are working though the language now. We need to allow SADC to do their work and come back to us. Board member Paul Hlubik commented that the information that Kurt provided would be reviewed but the process needs to continue.

ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted unanimously end the discussion until the Committees meet to have final discussions.

The Board voted unanimously to provide comments regarding the animal identification as presented to them. The information from the Board was submitted to USDA during the Board's meeting.

PUBLIC COMMENT

None.

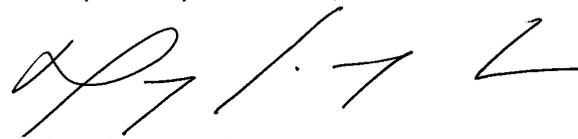
MEETINGS

The next regular meeting of the State Board of Agriculture will be held on May 23, 2023 beginning at 12:30 pm at Riverview Plaza.

ADJOURNMENT

ON the MOTION of Barney Hollinger, seconded by Paul Hlubik, the Board voted unanimously to adjourn the regular meeting at 6:15 pm.

Respectfully submitted,



Douglas H. Fisher