



State of New Jersey

BOARD OF AGRICULTURE

MINUTES OF MEETING

May 22, 2024

(Wednesday)

Public meeting notice was certified by communication on May 15, 2024.

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 Holly Sytsema called the New Jersey State Board of Agriculture to order at 1:12 pm. Board members in attendance included President Holly Sytsema; Vice President Barney Hollinger (via TEAMS), Kurt Alstede, Lisa Specca, Bob Blew (via TEAMS), David DeFrange, John Hart and Stephen V. Lee, IV. The meeting was held at 200 Riverview Plaza, Trenton, NJ.

Also in attendance were Secretary Wengryn; Assistant Secretary Joe Atchison, Dr. Amar Patil, Director, Division of Animal Health; Frank Minch, Director, Division of Agricultural & Natural Resources; Rose Chamberlain, Director, Division of Food & Nutrition, Susan Payne, Executive Director, SADC; Chris LaRegina, Robert Vivian, Jeff Wolfe and Jeff Beach, Office of the Secretary. Also in attendance were Ashley Kerr, Al Murray, NJ Farm Bureau; Dr. Brian Schilling, Rutgers University; State Executive Director Bob Andrzejczak, Sarah Lally, Farm Service Agency; Erika Boyd (via TEAMS), NRCS; Bruce Eklund, NASS; Pat Butch (via TEAMS); Jeff Burd; Jeanine Cava; Lori Jenssen and Nancy Wood, NJ Department of Agriculture.

MINUTES OF PREVIOUS MEETING

ON the MOTION of John Hart, seconded by Lisa Specca, the Board voted unanimously to approve the minutes of the April 24, 2024, regular meeting.

PUBLIC COMMENT

Jeff Burd, New Jersey Beekeepers Association, addressed the Board about an anonymous email that he and all the registered beekeepers received concerning their hives, locations, number of hives, and personal information. The email was made to look as though it came from the Department of

Agriculture and wanted to bring it to the Board's and Department's attention. The Department will look into the matter.

Pat Butch, Rutgers Board of Managers President, brought to the Board's attention a policy enacted by the Monmouth County Ag Development Board which states that for a farmer to come directly to the County Ag Development Board, they must first exhaust all municipal avenues in their municipality before they come to the County Ag Development Board. She believes that to be counterproductive to the purpose of the right to farm legislation. She has been told that the County Ag Development Board did this to reduce their schedule load. It's her understanding that other counties have done this as well. She would like the issue to be looked into and if possible, to discourage it or prohibit it from happening. The issue will be directed to SADC.

Secretary Wengryn announced that Governor Murphy has approved the first New Jersey Organic and Regenerative Farming Board and introduced the board's members. The board's primary purpose includes developing, administering, and overseeing programs in consultation with the Department of Agriculture on topics related to organic farming and will report to the State Board at their monthly meetings along with other industry reports.

REPORT OF RUTGERS UNIVERSITY

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

- JBOC is a Joint budget oversight committee that charged the Experiment Station with doing an assessment of the Special Occasion Events (SOE) program. With about a year into the program enrollments are going slowly. They will be evaluating the implementation of the program which will have a three-year assessment.
- Heat Stress – A RCE team will be publishing a fact sheet titled Preventing Heat Stress in Agriculture. Faculty that works in the area of worker safety are helping to put together resources and information for outreach sources.
- Rutgers tests vertical racking system for Agrivoltaics project on Cook Campus farm as well as at the Snyder Farm and RAREC.
- Rutgers has what we call the Center for Vector Biology. That's a group that goes back to Panama Canal days when you had a lot of mosquito related illnesses causing deaths in the workers making the canal. Today, they work a lot with the county mosquito control commissions, but they also work very heavily in ticks. We'd like to be doing some work at the next Ag Convention, but also outreach to the industry in terms of not going to eliminate the risk, but reduce the risk a little bit because of some of these diseases. The ticks can be tested to see if pathogens are present. We can't give medical advice if you're about to get sick, but we can at least indicate whether there's a certain pathogen there.
- Trying to fill the final five vacant positions before the end of the fiscal year.
- Board of Managers Need Assessment – most of the assessments have been received but stressed the importance of filling out the assessment. The needs assessment helps Rutgers figure out where there are gaps now but also where some of the needs that are coming up.

REPORT OF FARM SERVICE AGENCY (FSA)

Sarah Lally, Agriculture Program Specialist, reported on the following:

COC Elections & Nominations

COC and Urban COC elections provide farmers and ranchers the opportunity to run for and be elected to represent producers in their community on their local FSA COC. All producers and ranchers, rural and urban, are encouraged to consider running for COC seats. Significant emphasis is placed on improving COC diversity. FSA continues to work diligently to increase targeted underserved representation on COC's through outreach activities. As a result of these efforts, State and County Offices have been able to place many more underserved candidates' names on ballots. Efforts will be continued and expanded to ensure that targeted underserved farmers and ranchers have every opportunity to be elected to COC's and participate in their local elections. The FSA will also continue to encourage voters to look to beginning farmers and ranchers as a source for COC nominees. Publicity and outreach efforts will be directed to all producers, with additional emphasis on targeted underserved (ethnic minorities and women) farmers and ranchers and traditionally underserved (beginning) farmers and ranchers.

In addition to current COC members and County Office employees encouraging producers to submit FSA-669A's, producers are also strongly encouraged to return their completed ballots. Approximately two million ballots are mailed annually, yet only approximately 13 percent of the ballots are returned. This means that even a small increase in the percent of ballots voted and returned can increase the opportunity for a candidate to be elected. The election requirements, including the support of FSA programs and agricultural practices, is required for both traditional and Urban COC's. Urban COC's will focus on the support of urban and suburban agricultural practices, conducting outreach to urban producers and stakeholders, and providing feedback to FSA on the needs of urban producers.

Organic Certification Cost Share Program (OCCSP)

FSA County Offices began accepting OCCSP applications for the 2024 program year on May 13, 2024. Sign-up ends October 31, 2024. The 2024 program year covers eligible expenses paid by certified organic operations between October 1, 2023, and September 30, 2024. OCCSP provides cost share assistance to producers and handlers of agricultural products for the costs of obtaining or maintaining organic certification under the National Organic Program (NOP). Organic certification is obtained through certifying agents accredited by the NOP. For 2024, OCCSP will reimburse 75 percent of a certified operation's allowable certification costs, up to a maximum of \$750 for each of the following categories or "scopes": • crops; • wild crops; • livestock; • processing/handling; • State organic program fees.

Emergency Relief Program 2022 (ERP 2022) Track 1 and Track 2

On December 29, 2022, President Biden signed into law the Disaster Relief Supplemental Appropriations Act, 2023 (P.L. 117-328) that provides about \$3.7 billion in financial assistance for agricultural producers impacted by wildfires, droughts, hurricanes, winter storms and other eligible disasters occurring in calendar year 2022.

ERP 2022 Track 1 will provide assistance to producers who were impacted by wildfires, droughts, hurricanes, winter storms, and other eligible disasters experienced during calendar year 2022 using existing Federal Crop Insurance or Noninsured Crop Disaster Assistance Program (NAP) data already submitted to FSA. Producers will be receiving letters and FSA-523 Applications if they received a 2022 Crop Insurance Indemnity or 2022 NAP Payment.

ERP 2022 Track 2 is a revenue-based certification program designed to assist producers who suffered a loss in revenue resulting from 2022 calendar year disaster events when compared with revenue in a benchmark year. The revenue-based track provides an alternative method to establish revenue in cases where there has been a change to operation capacity, circumstances where revenue does not reasonably reflect a normal year's revenue, or for crops that are used within the operation and do not generate revenue from the sale of the crop.

Loss Adjusters

New Jersey Farm Service Agency is seeking Loss Adjusters (LAs) for the Non-Insured Crop Disaster Assistance Program (NAP) and the Tree Assistance Program (TAP). Loss Adjusters are required to have knowledge of field crops and specialty crops, as well as a thorough understanding and execution of crop adjusting guidelines and program provisions, as applicable to FSA programs. If interested, please contact Aly Dyson, NJ FSA Farm Program Disaster Specialist, Aly.Dyson@usda.gov, with any questions.

Continuous CRP

The U.S. Department of Agriculture (USDA) will begin accepting applications for the Continuous Conservation Reserve Program (Continuous CRP) signup on January 12, 2024. USDA's Farm Service Agency (FSA) encourages agricultural producers and landowners interested in conservation opportunities for their land in exchange for yearly rental payments to consider the enrollment options available through Continuous CRP, which also includes the Conservation Reserve Enhancement Program (CREP) offered by FSA partners. Additionally, producers participating in CRP can apply to re-enroll beginning January 12, 2024 if their contracts expire this year. To submit an offer, producers should contact the FSA at their local USDA Service Center by July 31, 2024, in order to have an offer effective by October 1, 2024. To ensure enrollment acreages do not exceed the statutory cap, FSA will accept offers from producers on a first-come, first-served basis and will return offers for approval in batches throughout the year.

Additionally, producers with acres enrolled in Continuous CRP set to expire Sept. 30, 2024, can offer acres for re-enrollment beginning January 12, 2024. A producer can both enroll new acres into Continuous CRP and re-enroll any acres expiring September 30, 2024.

Important Dates:

- May 31: Acreage Reporting deadline for Nursery (2025 crop year)
- July 15: Acreage Reporting deadline for corn, soybeans, spring feed grains, forage, CRP, hemp and most other crops
- July 15: NAP 2024 Approved Yield deadline
- July 31: Deadline to submit a Continuous CRP Offer
- August 1: NAP Application for coverage deadline for 2025 strawberries
- October 31: OCCSP signup opens

Farm Loan Program

1) Disaster Declarations

- a) The Farm Service Agency has three (3) disaster designations for Emergency Loan programs available to provide assistance when disasters strike due to damages and losses resulting from a natural disaster. A qualifying loss occurs if FSA determines a minimum 30 percent production

loss of at least one crop in the disaster county occurred as a result of the disaster. Farmers in the following counties are eligible for Emergency Loans through the USDA Farm Service Agency (FSA):

i) Presidential Major Declaration M4755 was triggered for farmers in Bergen and Hudson counties who suffered losses due to severe storms and flooding that occurred from September 28, 2023, through September 30, 2023. Applications must be received by October 30, 2024.

ii) Secretarial Disaster Declaration S5644 was triggered for farmers in Morris, Sussex, Warren, Essex, Hunterdon, Passaic, Somerset, and Union counties who suffered losses due to freeze and frost that occurred on May 17, 2023, through May 18, 2023. Applications must be received by August 12, 2024.

2) Loan Interest Rates for May 2024:

- a) Farm Ownership– 5.500%
- b) Operating– 5.250%
- c) Emergency– 3.750%

REPORT OF NJ FARM BUREAU

Allen Carter addressed the State Board on the Heat Stress Legislation and the actions of the Farm Bureau.

Ashley Kerr finished the report with the following:

- We are working with the Rutgers Board of Managers to restore the \$2.5 million budget cuts to the Experiment Station.
- Farm Bureau appreciated the meeting with members of the State Board and their Legislative Committee last week. We really hope to continue to work together in such a way.
- Secretary Wengren’s road trip to visit each County Boards of Agriculture was well received by local Farm Bureau members and prompted excellent discussion on a wide range of issues, especially in Mercer and Burlington Counties.
- Congratulations to Susan Payne on an outstanding career at the SADC.

REPORT OF NATIONAL AGRICULTURAL STATISTICS SERVICE (NASS)

Bruce Eklund reported that the following:

- Released the Congressional Districts part of the census so you can show the people in your congressional district the agriculture that's in your district.
- Released Nut Citrus Fruit and Nut Report which includes New Jersey peaches, blueberries, and cranberries.
- Released the Floriculture Report, which shows New in fifth place, but we're third in area of open space devoted to floriculture.

REPORT OF NATIONAL RESOURCES CONSERVATION SERVICE (NRCS)

Erika Boyland, Acting State Conservationist, (via TEAMS) reported the following:

- The equip program is about 85% obligated across the Equip Farm bill funds and then the Inflation Reduction Act funds. We have received over 800 applications this year for the equip program and of that 225 have been selected for funding through the Farm Bill funding and through Inflation Reduction Act 175 have been selected for funding.
- The conservation stewardship program has received 102 applications. Staff is going through our ranking process for those applications and we should be able to begin selections within the next few weeks.
- Solicitation for the Regional Conservation Partnership program will be due July 2, 2024. We are encouraging all those folks or partners that are planning on submitting a proposal to meet with our program staff just so that we can get a better understanding of the project.
- We have hired a new RCP coordinator who will begin in mid-June.

SECRETARY'S REPORT

Secretary Wengryn made the following comments:

It's been a busy month. Last night, he had his first opportunity to attend the Eastern Produce Council dinner with the May meeting being hosted by the New Jersey Department of Agriculture. The dinner was held at the Demarest Farms in Bergen County, and it brings all the big brokers, buyers, and food groups together for a discussion of Jersey Fresh and reports from the New Jersey blueberry and peach promotion councils. Joe and his team did a great job highlighting Jersey Fresh 40th anniversary. He thanked Ashley Kerr for the feedback on his road tour of county board meetings and has five remaining county boards to visit. He has met with the soil conservation districts at three regional meetings where he got to communicate the vision of the department, but also how we can work better with our districts. His next goal is to meet with the commodity groups and communicate with our agricultural community. The Department's budget hearings went well and were well received. The governor's budget has given us the opportunity to fill some positions that have been vacant for a while. He has been working with the Board's Personnel Committee on filling the Chief of Staff position.

Frank Minch, Director, Division of Agricultural & Natural Resources, gave an update on the wildlife fencing and deer fencing programs. To date 15 farms have applied for a total of \$275,000 and there is still plenty of funding available. DEP has released their resilient environment and landscapes rules (REAL) which the Division will be looking at. They include amendments to coastal zone management, freshwater wetlands, stormwater management, and all hazard areas. He has been in discussions with DOT regarding a winery that received a violation notice for signage. There are restrictions on where you can put signage, rural area versus commercial area. Looking into the plastic recycling program and pesticide container disposal.

Rose Chamberlain, Director, Division of Food and Nutrition, gave an update on the Summer EBT program. There is a lot of success going on right now with the program. To date, 373 districts have completed their upload so far, and that represents just over 312,000 children that will be receiving Summer EBT. Our direct certification with the Medicaid project data is going to be ready for schools on July 15th with a virtual webinar on the 30th where we are going to be training the schools on how their process is going to change. The summer food service program has 175 sponsor applications and are expecting two more. This will make 177 sponsor applications which is an increase of about 10 sponsors from last year. We're looking at about 1200 sites throughout the state where summer meals will be

provided. Lastly, Secretary Wengryn and Denise Liptak from the Food Distribution Program attended the ribbon cutting ceremony with the Rural Development Corporation Southern Regional Food Distribution Center.

Dr. Amar Patil, Director, Division of Animal Health, reported that the HPAI has been detected in cattle. All testing has been done by the USDA Food and Drug Administration and there have been no cases reported in New Jersey and we don't have any reports of any sick cattle, but we must remain vigilant. USDA has released some financial assistance for affected states and hubs right now.

Joe Atchison, Assistant Secretary, thanked the organic board for being here today. We look forward to working with them and continuing to forge the relationship we have with the organic sector of the industry. As the Secretary said, we had Eastern Produce Council dinner last evening. Personally, he had good conversations with Allegiance Food and Stew Leonard. It's always the best attended event that the Eastern Produce Council has every year. As a member of the administrative council of Northeast Sustainable Agriculture Research and Education, I've been on the grants committee there, and I've been reviewing a lot of grants. They're very careful not to send me any New Jersey grants, so there's no conflict of interest and is an ongoing process.

Susan Payne, Executive Director, State Agriculture Development Committee, reported that the SADC approved the publication of the proposed changes to the original Soil Protection Standards Rule proposal. The proposed changes will be published in the NJ Register as an amended rule proposal and will be subject to an additional 60-day formal public comment period. Three new staff members will be starting on Monday, and they have a new Chief of Acquisitions. She is preparing for her June 1 retirement.

Secretary Wengryn told Susan that it has been a pleasure opportunity to work with her these past few months not only as Secretary of Agriculture, but throughout his career. It has been a pleasure and wish you all the best.

Resolution for Susan Payne

President Holly Sytsema asked that Board member Lisa Specca read the prepared State Board of Agriculture Resolution thanking Susan Payne for all her years of dedication to preserving farmland in New Jersey. (Resolution attached).

ON the MOTION of Stephen Lee, seconded by David DeFrance, the Board voted unanimously to approve the Resolution.

BOARD MEMBER COMMENTS

Barney Hollinger thanked the Board and Department for their expression of sympathy for his father. He reported that he didn't attend the Cape May CBA meeting but did attend the Cumberland CBA meeting. Cumberland CBA has four final approvals for the farmland preservation program which should be done by June. They also have two new applications in the approval process. Also, there is talk of a goat slaughterhouse coming to Stow Creek in Cumberland County.

Stephen Lee attended the Burlington CBA meeting and had the privilege to introduce Secretary Wengryn who gave a very detailed presentation to Burlington County. There are a couple of farmers who have had some challenges with DEP inspectors specifically in terms of on-farm inspections. Atlantic County is in the process of putting together their ag legislative tour highlighting blueberries. In addition, there are blueberry and cranberry twilight meetings this week and next.

Lisa Specca reported that she had attended the Ocean CBA meeting, and they are gearing up to get their fair up and running. They have about 50 vendors for their fair and are having some electrical issues. They are talking about trying to get together a legislator tour and perhaps coordinate with Farm Bureau on an aquaculture tour. There was also discussion on the heat stress bill. She missed the Monmouth CBA meeting that was held last evening. She is gearing up for May on their farm.

Kurt Alstede reported that there's a delegation today in Washington DC from the Morris County Board speaking to congressional members about the need for H2B cap relief. Anyone in the retail nursery and landscape industries know that contrary to H2A, which is not capped yet difficult. H2B is difficult and capped in terms of the total leases that are issued each year. These caps have been met and it impacts a lot of our green industry here in New Jersey and direct marketers. Heat stress seems to be the most pressing issue that he is hearing from the county boards up north and echoed by ash trees. He thinks there's frustration about the lack of time to focus on strategic planning when we're constantly bouncing from one crisis to the other. It seems like 60 days ago no one even thought heat stress was an issue. And now it stresses all of us to a place where we'll have heart attack stress for fear of the financial liability of our businesses. I've reported previously about the threats to the fruit crop based on a lot of extended cold weather. I would say that primarily, fruit crops look decent if protections were put in place and utilized, and you had good locations, crops look good. People that have crops that are in poor locations where there's bad airflow, cold air settled and they didn't do enough to protect the crops, there is some lost. He is not hearing any reports of complete loss, but certainly hearing reports of lighter crops.

Dave DeFrance echoed what Kurt said about heat stress being a main topic at county board meetings. Somerset and Hunterdon Counties are gearing up for their county fairs and getting everything established and getting their business all taken care of. County boards are concerned about the heat stress issue and what will be next. Hunterdon County has done a good job getting a constant contact page up so they can move content quickly and see who opens it and who doesn't. In dialogue between Somerset and Hunterdon, they are planning on having on-farm meetings to address issues. There's a common thread between what we are doing here at the State Board and what other counties are doing and having a more collaborative approach. There have been some challenges due to the heavy amounts of rain. To date in Frenchtown, there has been 24.5 inches of rain. We try to compensate for the lack of rain and now we get hindered by growth problems on plants that have taken on too much rain. So that's a constant battle we're all trying to figure it out. Where you guys are struggling with freezing and thawing, we're struggling with the amount of moisture affecting our crop.

Bob Blew reported that Gloucester CBA hasn't met since the last Board meeting but are meeting next week. He also missed the Salem CBA meeting and attended the Cumberland CBA as a member of the board. Salem and Gloucester are going to be doing a joint legislative tour. As of right now, the tentative date is Tuesday, August 13. He has been in contact with Rob Vivian to try and make sure we can get all the right stakeholders there for that tour. They have everything lined up and have got the right types of

farms lined up. They have them generally laid out so all they need is to go ahead from the Department and for the legislators to be contacted and invited. The North Jersey caucus has a candidate for the State Board for its November meeting.

John Hart reported that he attended both the Middlesex and Mercer CBA meetings where there was concern about the heat stress legislation. He had a group from Ewing Township come to his store regarding the livestock ordinance in their municipality regarding chickens. Their chickens are named, and they consider them pets. He questioned whether chickens could not be considered livestock. Dr. Patil said would not be possible because if there was an AI outbreak they would have to be depopulated as they are considered livestock. They should work with their town on coming up with a reasonable ordinance that says under six chickens are allowable in the town. They should have those dialogues with their community. He thinks other towns have adopted reasonable ordinances about this issue and they should be looking at what their neighboring towns are doing and not just banning it.

Holly Sytsema reported that Sussex and Bergen CBAs didn't meet. Everything is going ok by her and getting beans into the ground was delayed. It was cold and wet earlier, but everything is popping up.

Grants Committee

Chairman Stephen Lee said that the members of the grants committee are vice chairman Hollinger, David DeFrango and Bob Blue. The grants committee has met multiple times over the last 60 days. We went through the specialty crop block grant process. I want to thank the staff for their assistance with that. We presented the specialty crop block at last month's meeting. And what we've learned in this process is that there's a lot of components. It's been a good learning experience, but I want to commend the staff for working through this. But I'm enthused about what's in front of us and what opportunities we have in terms of funding from a lot of different sources.

On your agenda under new business, we have a couple of things. We have approval for RSFI grants. An RSFI grant is a resilient food system infrastructure program that goes through the USDA. These grants give us a substantial amount of money – the amount of over \$3,000,000 for projects here in New Jersey for two components. One component is for infrastructure and the other component is for equipment. The Grants committee has received roughly 97 applications, and the subcommittee went through these applications.

He asked the Board to authorize the grants committee to go through these applications and make decisions in terms of distribution of that \$3,000,000. This will allow the grants committee to finish this process and to allow the department to go through the next steps in terms of requirements USDA has in terms of being able to administer the grants. So essentially, we're asking for authority from this Board to be able to continue the process and finish administering the grants for those individuals that have applied. Not everyone that applied was eligible, and the staff was very helpful in terms of going through that in terms of who was eligible and who was not.

The other component worth mentioning is that this is a pilot program. So, we were kind of learning as we went in terms of what the grant was for, how it was being done, who was eligible and who was not. He is hopeful that we're going to be able to continue this process moving forward.

The second grant is also done by USDA, the Underserved Beginning Military Veteran Farmers mini grant and that allocation is \$203,000. The underserved grant is done through the specialty crop block grant program, and request for proposals was opened to the public on March 26th. We're fortunate enough to have had 41 qualified applications that were submitted, totaling \$203,000. We're fortunate enough to where there's a second grant that was open to the public on May 10th and will close at the end of this month. Joe Atchison explained that the total between the two grants for the Underserved Beginning Military Veteran Farmers is \$300,000. It's \$203,000 for the first phase which we initially put it for \$210,000 and then we had the grant request amended to move over another \$90,000. So, the total is \$300,000 for both phases – first phase \$203,000 and the second phase \$97,000.

The third and final grant is the State Food Purchasing Program, that is administered by the Division of Food & Nutrition. In your email on Friday, you'll receive the breakdown for that. When I first came on the Board we had to decide on the gleaning grant. It's simple, meaning we were handed three applications, and had them all. What this is asking for is some modifications which require Board approval. That would be to essentially move that money from \$300,000 to \$400,000. And take unlimited applications, as initially we only had four applications that we were taking, which was authorized by this board previously. And so, what we're asking for is for the \$400,000 and then also to be able to have the flexibility of taking more applications, i.e more people would have the opportunity to be able to apply. I'm going to ask for action today, specifically on this grant.

ON the MOTION of Stephen Lee, seconded by John Hart the Board voted to authorize the Grants Committee to continue to and finalize the process of distribution of the RSFI grant. Kurt Alstede recused himself due to a conflict of interest. The motion was approved.

ON the MOTION of Stephen Lee, seconded by John Hart the Board voted to authorize the Grants Committee to continue to and finalize the process of distribution of the Underserved Beginning Military Veteran Farmers mini grants. Kurt Alstede recused himself due to a conflict of interest. The motion was approved.

ON the MOTION of Stephen Lee, seconded by John Hart the Board voted to unanimously approve the authorization to the change the scope of the State Food Purchasing Program in terms of those who can apply, how the applications will be taken, and the total dollar amount available.

Nominating Committee

Chairman Stephen Lee reported that at the last month's meeting the Application for Organizational Membership to the Annual State Agricultural Convention was received for the Foodshed Alliance. He asked the Board table this item from our agenda for today as the application is still under review.

Bob Blew referenced in his comments, the State Board membership in terms of the caucus. As we all know, July is when our calendar expires in the terms of this board. I will not be here for the organizational meeting in July. I had a previous commitment with Ocean Spray, to do some lobbying work on behalf of our cooperative in Washington, so I will not be here. However, I want to make sure that my responsibility of the nominating committee, and our committee continues no matter where I am. I want to understand exactly the process in terms of nominating for leadership for the next calendar year. So, I want to make sure that we have that on our radar. The second component of that is I read through our bylaws and recognize that our bylaws are written to whereas we don't do a reorganization

until the two new members come on board and have completed the process in terms of going through the senatorial component. I've been keeping tabs on where they are. I think we're in pretty good shape, but I think it would be important to perhaps introduce a resolution at some point. It doesn't have to be today. It can be at our next meeting, but to ensure we get on to the calendar to where we are reorganizing July, as we have done historically. So, there's no action necessary for that. I just wanted to kind of get on everyone's radar.

Kurt Alstede questioned if Steve Lee was suggesting an amendment to the bylaws that would allow us to reorganize every July at the annual meeting. He responded that it would be important to consult with Counsel but believes that is the direction the Board should go.

Barney Hollinger thought that was removed when the bylaws were redone. That there's nothing that says the Board must meet in July to put new members on the Board. Steve Lee said that was correct. It's written now to where the new members don't come on board and we don't do the onboarding, for lack of better terms, until after they've gone through senatorial courtesy.

Steve Lee is suggesting that we modify that and go back to a fiscal calendar year. This would allow the members that have been on that are due to come off, to know how much longer they have on the Board how much responsibility they need to give to the Board. But I think it needs to be dealt with at some point.

Barney Hollinger said he felt that the reason we did that is because everything was going so slow that we kept running up on this problem of bringing new board members on. Just everything was being carried over and I agree with you.

Steve Lee said that he would be happy to put together a resolution for the Board to consider at the June meeting.

Kurt Alstede said he always favored the annual reorganization every July at the annual meeting. He voted against the amendments that were made to the bylaws a couple of years ago. All reasons why fellow member Lee is recommending that we restore them. So, I would strongly endorse the restoration of the annual meeting with reorganization established every July.

Legislative Committee

Chair David DeFrance started with invasive species. The original invasive bill S3221 established the New Jersey Invasive Species Task Force. We also have A1887 and S2186 which is the one that everybody is familiar with invasive species, which was reintroduced from last year. So, currently the invasive species committee has addressed all of these. We are looking to encourage the sponsor to follow the original legislation - S2186- that has been carried over into the new session. There was talk that DEP was removed from S2186. As a committee, we have discussed this, and we were going to encourage them to bring the DEP back in if that was a holdup for S2186. But I think the layout where we were in 2023, where we landed, this is the language. The support from our community is encouraging this passage of this bill.

Bob Blew said that is correct. I mean I would say not all but of the producers that I talked to concerning the bill we had last year, everyone agreed that it was the right move to make at that time. And, anything we can do to get some clarity as to why both bills exist at the same time would be great but whatever we can do to get back to some of that language we had last year and somehow just fix what the Governor was expecting in his veto statement, of being able to get this thing on the finish line. That's really all we need to do now.

Dave DeFrance said at this point, as the invasive committee works towards understanding this a little bit better, we will go to our commodity group and confirm with them. Lori Jennsen mention that S2186, the one that went through the senate committee, did not include the exemptions that we had all agreed upon. So, it's not exactly what we want. We want those exemptions put back in that we worked so hard for.

Dave DeFrance asked Rob Vivian to reach out to the sponsor and see whatever information that he can get going forward. Rob Vivian said that the current bill number is actually S1029. S2186 is the last session. He said that what you're looking at is S1029, but you want the amendments and what was in last year's bill in this one. I'd like to do the outreach and help you with that.

Dave DeFrance said just to get a better understanding of where we're going with that and moving forward. At this point, that's where we're at with the invasives, and we're building consensus again, trying to reach out and moving forward.

Next bill for discussion is the heat stress legislation. Secretary Wengryn said that Rob Vivian reported that Senator Cryan's office reached out and they want to know what the State Board would recommend in changing the data. So that's what I'd like you to focus your discussion on. And if it incorporates the talking board points from the industries and other groups that you receive, feel free to consider that. If you want to let the Legislative Committee draft response for everybody to have them work on this in the next week instead of here. But put your input here on the record, and then let the committee have the authorization to produce that strategy so we can get back to this Senator with what you would like to do.

Holly Sytsema gave background on the issue. When we got notification of the legislation, we were going to try to meet Senator Cryan with the Farm Bureau, but it didn't work out that we could go together. So, we reached out on our own to try and meet with Senator Cryan. He has now reached back to us and asked if we have anything we would like to offer that's different than what Farm Bureau has brought to the table. So, we need to decide, as a Board, what we are going to recommend going forward,

There was a lengthy discussion by the Board members on the heat stress legislation. The Board is strongly opposed. President Sytsema said that the Board was going to table this issue and asked that all Board members think of what their ideas are to mitigate the change to the legislation and email their ideas to the Legislative Committee. The Legislative Committee is going to meet again and will write a letter including those ideas. This needs to happen within the next 48 hours so we can keep this moving forward. The final letter will need the full Board's approval.

ON the MOTION of John Hart, seconded by Lisa Specca, to authorize the Legislative Committee to create a resolution and go through a checklist of the different components that we are interested in in terms of

this legislation. There was further discussion and Kurt Alstede suggested establishing a time when the full Board can approve the resolution. John Hart amended his motion.

ON the MOTION of John Hart, seconded by Lisa Specca, the Board authorizes the Legislative Committee to create a resolution and the Board will hold a special meeting via Teams on Wednesday, May 29, 2024, to review and approve the resolution.

Chair David DeFrangé commented that regarding SPS, we've heard from SADC, we have an understanding and we've got their timeline. The clock hasn't really started ticking yet. I do think as a subcommittee, we addressed as much as we could through the process. I know there were some comments within the Board that they wanted an opportunity to have a dialogue with us all as a full committee. But I can say as the SADC subcommittee chair, we have done everything we could to address this going forward, and to get it to the point where it's at. Whether you're 100% happy or not, it's a heck of a lot better than it was. Every comment that was brought to us, we've addressed it in some shape or form. I sent a memo outlining concerns that I have regarding deeds of easement.

Kurt Alstede questioned some ideas of how the SADC could address those things. Are you reporting that the committee is dismissing those things or that those discussion points need to be elevated to the full board for discussion? Because we haven't yet as a board, for instance, resolved these. We must listen to the delegates, to consider the resolutions and all the things that we do. And then we need to be able to respond to the delegates and address the delegates as to how we've done it. And that to me is the glaring thing that's still omitted. I recognize based on the timeline that was shared with us today that we have some time. The comment period hadn't even begun yet.

Dave DeFrangé said he doesn't disagree that a tremendous amount of progress is made operationally. I think there's a few little housekeeping items that need to be addressed, and I think we should agree to them as a whole board. We'll have time at the June meeting.

Commodity Groups Committee

Chair Holly Sytsema report that the committee met and received a request from FSA. As of right now, they do not recognize cold and heat impacts on crops. So, if there is frost, they would recognize it but if there is heat damage they would not. The draft letter in your packet has come out of the committee meeting and is being presented for the Board's approval.

ON the MOTION of Holly Sytsema, seconded by Steven Lee, to send a letter to FSA seeking a change in how FSA in New Jersey regards the cold and heat impacts on crops.

There was discussion on the letter and Kurt Alstede asked to change the word extreme to the word frost in the first line of the second paragraph. The Board approved the letter including that change.

NEW BUSINESS

Approval – Commercial Fertilizer Values

Assistant Secretary Atchison reported that no public comments were received.

ON the MOTION of Steven Lee, seconded by Lisa Specca, the Board voted unanimously to approve the Commercial Fertilizer Values as presented.

Proposed Rulemaking – Proposal to Readopt N.J.A.C. 2:48 (General Provisions – Milk Program) with an Amendment

Assistant Secretary Atchison reported that if the Board acts in favor of proposing this rulemaking proposal, the Notice of Proposal would be expected to appear in the July 1, 2024 NJ Register, followed by a 14-day public comment period that would run through July 14, 2024.

ON the MOTION of Kurt Alstede, seconded by John Hart, the Board voted unanimously to approve the Proposed Rulemaking – Proposal to Readopt N.J.A.C. 2:48 (General Provisions – Milk Program) with an Amendment pursuant to the Administrative Procedures Act.

PUBLIC COMMENT

Lori Jennsen, NJNLA, thanked the State Board, Rutgers and Farm Bureau for addressing heat stress legislation.

MEETINGS

The next regular meeting of the State Board of Agriculture will be held on Wednesday, June 26, 2024 beginning at 1:00 pm at the Hudson Farm Club, 270 Stanhope Sparta Road, Andover, NJ.

RESOLUTION FOR EXECUTIVE SESSION

The Board adopts a resolution to enter into executive session pursuant to N.J.S.A. 10:4-12(b)(8), to evaluate the performance of an employee. The Board will evaluate the employee's performance in implementing strategic outreach to stakeholders and in reviewing and implementing hiring practices at the Department.

The Board will disclose the contents of the closed session as soon as we are able to do so. Minutes will be approved at a future Board meeting.

ON the MOTION of John Hart, seconded by Lisa Specca, the Board voted unanimously to enter into executive session.

ADJOURNMENT

ON the MOTION of Kurt Alstede, seconded by John Hart, the Board voted unanimously to adjourn the regular meeting at 5:33 pm.

Respectfully submitted,

Edward D. Wengryn