



State of New Jersey

BOARD OF AGRICULTURE

MINUTES OF MEETING

November 16, 2022

(Wednesday)

Public meeting notice was certified by communication on November 10, 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 1:05 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. Sebastian Reist, Division of Animal Health; Rose Chamberlain, Director, Nicole Broadwater, Division of Food & Nutrition; Assistant Secretary of Agriculture Joe Atchison, Director, Nancy Wood, Division of Marketing & Development; Chuck Roohr, SADC; Joe Zoltowski, Director, Division of Plant Industry; Frank Minch, Director, Division of Agricultural and Natural Resources; Chris LaRegina, Nathan Schatz, 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; Executive Director Bob Andrzejack, Sarah Fenwick, Farm Service Agency, Julie Hawkins, NRCS; Justin Zappan, National Agricultural Statistics Service, and Linda Walker, NJ Department of Agriculture.

MINUTES OF PREVIOUS MEETING

ON the MOTION of Paul Hlubik, seconded by Ernest Beier, the Board voted to approve the minutes of the October 19, 2022, regular meeting with minor corrections.

PUBLIC COMMENT

Mary Babick reported that she has been involved in the equine industry for many years, serving on many boards. She reported that the equine industry is a huge sector of the agricultural industry in New Jersey and in the United States. In addition, she reported that the economic impact generates more than 13,000 jobs in New Jersey. She stated the importance of farmland preservation but noted that there are

several issues at stake including crop limitation, escalation of costs due to overregulation, improper rulemaking, lack of practical and reasonable conflict resolution structures, equine protection standards that are easily understood and achievable, the need for support from the SADC and in their case, the CADB for the farmer and the improper rulemaking and lack of practical and reasonable conflict resolution. She provided the members of the State Board with a copy of the information that was prepared on behalf of Andrew Philbrick regarding the issue of SADC choosing to limit the number of horse shows that they have every year, and not only do they limit the number of horse shows, but they limit the number of days of horse shows. Andrew Philbrick then made his own personal comments regarding the issue with the SADC. He asked that there be a special committee to review the situation.

Anthony Sposaro stated that he has been an attorney for farmers for many years and commented also on issues with the SADC as he feels that the interest in the program is at an all-time low. He feels that there is a disconnect between the Right to Farm Act and the Deed of Easement. The Right to Farm creates, in effect, a farmer's Bill of Rights, it tells them what they can do and what they cannot. What they don't understand is that the Deed of Easement can restrict those rights. Farmers that are not preserved are able to do things that preserved farms cannot and it is a real problem. In addition, he stated that the SADC has taken a position that you cannot grow cannabis on a preserved farm if you are not entitled to farmland assessment. He stated that since this has been legalized in New Jersey should be considered. Finally, he closed saying that there needs to be some way in which we can resolve these differences as he feels that the SADC feels that they can do whatever they want.

Nicole Voight, Esq. provided the members of the State Board with copies of correspondence that had been sent to the SADC on behalf of her client Veda Farms, LLC, a holistic wellness company seeking to grow medicinal herbs on preserved farmland. Among the many varieties of medicinal herbs to be grown is cannabis which is a traditional medicinal herb in the Aruyvedic traditional with which her client specializes. She explained to the Board that outdoor cannabis growth is permissible subject to approval of a Class 1 Cultivator License to be issued annually by the New Jersey Cannabis Regulatory Commission (CRC). She explained that the client's license is filed and pending. Outdoor cultivation of cannabis is expressly permitted by the CRC. She stated that the Deed of Easement and the Farmland Preservation Act and regulations require that a farm be retained for agricultural use and development, but it does not say anywhere that the farms must be actively devoted to agriculture, and they must maintain the agriculture of the farmland assessment.

Smrita Choubey, Founder and CEO of Veda Farms was born and raised in New Jersey but noted that she was a fifth-generation member of an agricultural family dating back to India, where her family has farmed since 1881. After spending several years in corporate America, she wanted to get back to the agricultural roots of her family. She left her job and began working full-time on her health and wellness startup producing plant-based supplements. She began looking for the perfect farmland where she can grow her own herbs to create her own products. New Jersey has amazing farmland that can grow very high-quality medicinal herbs and she would like to include cannabis as well. She feels that cannabis could be a huge opportunity for New Jersey farmers to grow a cash crop and allow them to maintain farm viability.

Sherry Dudas, Chesterfield Organic Orchards, reported that she and her husband, for many years were growers of a large community supported agriculture program (CSA) that produced organic herbs,

flowers, fruit and vegetables. She stated that business model was no longer economically viable, so they had to do a pivot. They farm on four different farms but based in Chesterfield and every farm is in the preservation program. She is a farmer member of the Burlington CADB, where this has been a topic. They have a hemp partner, who has grown hemp and cannabis in New Jersey, Colorado and California and he stated that this was some of the best quality that he's ever grown. She stated that the ability for owners of preserved farms to grow cannabis could possibly make all the difference in New Jersey for farmers struggling to remain viable.

Mike Rassweiler, an organic farmer from Hunterdon County, stated that it is clear that the opportunity to grow cannabis on his farm is allowed by the State and it is clear that the potential to augment his farm income is significant. Your vocal support is needed to use the established practice of the exclusion area where we will establish and maintain our supplemental farming activities. Security will be established with fencing that creates a biosecurity zone that will serve our farm to protect our crops and our equipment. The CRC has created an excellent opportunity for New Jersey farmers.

Secretary Fisher stated that a great deal of information had been presented to the Board and that there were very specific questions for the SADC. Chuck Roohr, a staff member of the SADC, was on hand and gave a few brief comments.

SECRETARY'S REPORT

Secretary Fisher asked Food & Nutrition Director Rose Chamberlain to play the short video that was recently prepared for the School Nutrition Association Annual Conference regarding the actions taken by school officials to help feed students during the Covid pandemic. She introduced Nicole Broadwater, the Farm to School Coordinator for the Division and Michelle Murdock, Food Corps member who explained to them that schools throughout New Jersey can partner with NJ farmers to source more than 100 types of Jersey Fresh produce grown here in the Garden State. Opportunities exist for New Jersey farmers to provide agricultural products to school food service departments throughout the growing season. The object of serving healthy meals in school cafeterias is to improve student nutrition, provide healthy options and nutrition education opportunities that will last a lifetime, as well as support local farmers. Additionally, the Farm to School Program includes schools garden activities, which help teach students where food comes from by growing it themselves. Students benefit by learning the science behind farming and the nutritional values of fresh products and gain a greater understanding and appreciation of the environment. Educators can use school garden programs to teach any subject – math, science, language arts, health and nutrition, art or social studies. Farm to School programs promote and create a sense of community for all involved.

Secretary Fisher announced that with the help of Division of Markets staff, Goffle Road Poultry Farm in Bergen County recently received a USDA Rural Development \$4.2 million investment as part of the Meat and Poultry Processing Expansion Program to increase and expand meat and poultry processing capacity. The funding was part of more than \$223 million in grants and loans nationwide to support 32 independent processing projects to build capacity. He urged all Board members to encourage growers to participate in the US Census that is underway. The information provided helps to secure more monies for such things as Specialty Crop Block Grants. He reported that King Whetstone, from the NASS Regional Office had visited recently to discuss the importance of the timely reporting of the Census

information. In addition, he reported that the Department is seeking to be part of a laboratory expansion at PHEAL. He announced that we were in contact with the Department of Health regarding the issues of the WIC Program. A meeting is set tentatively for after the New Year regarding the WIC issues and their voices had been heard and that the technology needed to be completely upgraded. He reported that meeting between the SPS Committee and the SADC Committee is still being scheduled. He announced that Governor Murphy, the previous day, signed the Executive Order to have a bear hunt restored.

Assistant Secretary Joe Atchison, Division of Marketing & Development, reported that the planning for the upcoming State Agricultural Convention was well underway, February 8 & 9 at Harrah's in Atlantic City. He reported that staff attended the International Fresh Produce Association Trade Show formerly (PMA) in Orlando, there were some nice connections made with retailers that we previously have not had a relationship with, so they look forward to having those discussions. Jersey Fresh will be represented at the upcoming NY Produce Show on December 1. He reported that the Jersey Raised point of purchase materials have been ordered and are coming in. The Division continues to work on the Organic, Sustainable, Regenerative Agriculture (OSRA) program including meetings with key stakeholder organizations and producers and will be conducting a roll out meeting with those stakeholders to get additional input. He provided the Board and audience members with the new Jersey Fresh bags that had been expected for summer but had just recently been received due to supply chain issues.

Frank Minch, Director, Division of Agricultural & Natural Resources, reported that they are working on grants that they received from NRCS for a manure link for those who generate excess manure compost with those who need it; and a grant in Sussex County, to provide funding for protections for watersheds.

Dr. Sebastian Reist, Assistant Director, Division of Animal Health reported that there had been another case of HPAI here in New Jersey. The case was a Bergen County backyard flock (non-poultry), as classified by the World Organization for Animal Health (WOAH), on November 2. He stated that the disease response was coordinated between state and federal partners. Samples from domestic poultry at the Bergen County premises were submitted and tested at the New Jersey Animal Health Diagnostic Laboratory. He explained that some birds experienced mortality, and some displayed neurologic signs before succumbing to the disease.

Joe Zoltowski, Director, Division of Plant Industry, reported that Division staff are completing their seasonal annual nursery inspections. Regular nursery inspections were conducted at 136 nursery locations to ensure that regulated ornamental plant material are free from injurious pest, insects, and diseases. Some inspections included compliance agreement inspections for nurseries who participate in the Boxwood Blight Cleanliness Compliance Program. In addition, he reported that staff and USDA staff had organized a spotted lanternfly golden pest spray oil training session for staff of the Camden Mosquito Control Commission and County Parks in early October. He wished all a very Happy Thanksgiving!

Chuck Roehr, SADC, announced that Susan Payne was presenting at the League of Municipalities Conference in Atlantic City. He mentioned that as Secretary Fisher previously stated, SADC is working to schedule a meeting with the State Board SPS Committee and the SADC Committee. In addition, he reported that he and Susan had attended a conference in Gettysburg for Northeast Regional Farms that

do Farmland Preservation. He remarked that it was informative, but many issues that New Jersey faces others do as well.

Board member Kurt Alstede asked a question, is it possible to use the SADC cost sharing on preserved farms so that they can put in wells and use the potable water for their labor housing and also for irrigation. He then asked about an issue that was previously discussed by Jeff Everitt, SADC, regarding the SPS and the issue of mapping that would identify which farms would be affected by the SPS. Chuck responded that the SADC contracted with Rowan University to do the mapping and that mapping project has taken much longer than anticipated. He stated that they have not received any maps to date.

Further, he commented that he felt that the farmers had been made promises that had not been fulfilled since they had not seen any mapping as of yet and was extremely disappointed.

Board member Paul Hlubik commented that the SPS Committee would be meeting again to continue discussions. Following the discussions that took place at the beginning of the week during the Farm Bureau Convention, lets continue discussions on the issue at the upcoming meeting.

Board member Kurt Alstede asked Mr. Roohr if the SADC had given a firm answer on whether they could propagate cannabis in a field, on a preserved farm. They were given a firm answer to check the CRC website that says in the FAQ that you cannot grow cannabis on a preserved farm. Board member Kurt Alstede commented that he felt that we need to understand an accurate timeline of things when several producers need to come to a meeting with concerns. We have been getting a lot of complaints about the SADC not advancing progressively right to farm initiatives and thinking about the future of ag. Board President David DeFrange stated that there are issues that need to be addressed with respect to the SADC but also understands that the State Agency side of things has a process that doesn't always go fast or the way we want it to. We all need to try to identify our issues, but we need to work collaboratively.

BOARD MEMBER COMMENTS

Lisa Specca reported that she had attended the Farm Bureau Convention earlier in the week and had Ocean County Board meeting later that evening which she would be unable to attend. On Friday she is scheduled to have an unemployment audit. She reported that Camden County Board had reorganized last month and would be meeting the next night. She feels they are really trying to encourage membership after not meeting for more than two years. She reported on a zoning variance issue that was happening in Camden County where a farmer objected to a zoning variance being requested by an auto body parts shop and it was granted. The farmer continues to object to the inappropriate variance and is trying to gain more local support and now has the support of the local CADB.

Kurt Alstede stated that labor stands out as one of the critical issues of the season. It is a challenge to get good help. He stated that we need to have a white paper on the clarity of the new child labor laws and asked if we could get something from the Department of Labor. He noted that we are awaiting word of the Assembly to post the SOE bill and talked about Soil Protection. He talked about the proposed legislation A 4766 which designates CADB alternates and their importance.

Barney Hollinger reported that Cumberland County met recently, and they are working SLF spraying through the public works and on a fiber optic loop grant. Cape May County discussed that the Pinelands has new rules on water wells, and they are concerned.

Holly Sytsema commented that Mike Burger will continue as President in Sussex County. In addition, she reported that there were discussions regarding the wildlife damage, right to farm issues, and noted that the CADB will be addressing the alternate member legislation. Harvest remains ongoing with yields severely impacted by many issues. She noted that there was an inch of snow this morning. She reported that the Livestock Processing Committee had not met but continues to receive updates from the Division of Markets; the Nominations Committee remains on hold until the new members are sworn in. Finally, she reported that the Wildlife Committee would like to send a sincere thank you to our Governor, Fish & Game and all who helped to make the bear hunt a reality. Noting, we commend the effort of everybody that digested the scientific research and statistics to move forward on this issue. Although this was not an easy decision, the numbers don't lie, and this will prove to be the best decision moving forward.

Debbie Norz reported that Somerset County reorganized and named Matt Puskas as President. There was no report on Union County. She reported that they are finishing up some crops and doing on-farm clean up work. She reported that the Vegetable Growers are in the process of reviewing their by-laws and would then be reorganizing. Finally, she reported that she awaits word on the Senior Voucher issue and hopes that there can be a solution that works for everyone.

She reported on several bills of interest that had been discussed by the Legislative Committee to make the Board aware.

ON the MOTION of Paul Hlubik, seconded by Debbie Norz, the Board voted unanimously to send a letter of support for Assembly Bill 4766 which designates an alternate for the CADB and instead of moving the venue bringing in an alternate member.

ON the MOTION of Debbie Norz, seconded by Paul Hlubik, the Board voted unanimously to send a letter regarding A 4645 to ask that they use the federal definition for Beginning Farmer so that the designation stays the same consistently.

ON the MOTION of Debbie Norz, seconded by Barney Hollinger, the Board voted unanimously to send a letter asking that AJR 85 designate the third Monday in March as Ag Day.

Paul Hlubik reported that he had attended the Monmouth County Board meeting and that Pat Butch suggested a joint meeting of Livestock Committees so that pertinent information could be shared.

He then asked the members of the Board to review the most recent draft of the letter for DEP regarding the floodwater rule. He thanked both Frank Minch and Jeff Beach for their hard work on this issue.

ON the MOTION of Paul Hlubik, seconded by Debbie Norz, the Board voted unanimously to approve the letter as presented to DEP on the Floodwater Rules.

Vice President Beier reported that Salem and Gloucester Counties would be meeting next week. At their meeting last month, Gloucester County honored Wes Kline. It was noted the Vice President Beier was also honored by the Board. He commented that there have been discussions on Right to Farm issues with local building codes. He noted that the change in cold weather is starting the colic season. He noted that there was an issue due to the drought conditions that caused a problem with remediation later.

President DeFrange thanked Secretary Fisher for attending the Hunterdon County Board of Ag dinner this coming weekend! He noted that Frank Minch would also be attendance.

He asked about the status of the Right to Farm surveys and was told that there were more than 15 responses received thus far.

President DeFrange asked that Barney Hollinger; Holly Sytsema, Debbie Norz and Paul Hlubik serve on the By-laws Committee. He then congratulated Peter Furey for the successful Convention that was held earlier in the week and then congratulated Peter for 40 years of service to the agricultural community.

Finally, he announced that it has been asked to have an opportunity to go into a closed session meeting for the just the members of the Board, in Executive Session. Every Board member will be sent a Rice Notice.

ON the MOTION of Barney Hollinger, seconded by Ernest Beier, the Board voted to have a Special Meeting, Executive Session to with everyone Rice Noticed. Barney Hollinger voted against the motion. Paul Hlubik abstained from the vote.

NEW BUSINESS

Approval - Division Director of Animal Health

Personnel Committee met previously to interview the candidates eligible for the Division of Animal Health Director. He asked reported that the Committee recommends the candidate as discussed and asks that the Department move forward with the next steps.

ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted to approve the candidate pending approval by the Governor's Office.

Dr. Ernest Beier abstained from the vote.

REPORT OF RUTGERS UNIVERSITY

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

- First, I've worked with the department for 30 years. I learned more about the impact of the Food nutrition program in that video that I have in 30 years. That was exceptionally well done.

- A couple points in terms of personnel, I reported the last meeting that I attended that we have an ambitious set of approvals for extension agents and specialists. We're moving to offering hopefully.
- Secretary Fisher commented at the Farm Bureau meeting, which, by the way, Pete, congratulations for a very good meeting and kudos and congratulations to Ryck Suydam for 10 years of his presidency. Lot of service.
- In your remarks yesterday you commented about the aspirations that you have, the experiment station will be with a scope of work by early next week that outlines what I think is what you're looking for, effectively providing field trials on varieties that would provide fiber suitable for various industrial uses that would be biodegradable products like plastics.

REPORT OF FARM SERVICE AGENCY (FSA)

Sarah Fenwick represented the Farm Service Agency:

County Committee (COC) Elections

The USDA began mailing ballots this week for the Farm Service Agency (FSA) county elections to all eligible agricultural producers and private landowners across the country. Elections are occurring in certain Local Administrative Areas (LAA) for these committee members who make important decisions about how federal farm programs are administered locally. Producers and landowners must return ballots to their local FSA county office or have their ballots be **postmarked by Dec. 5, 2022**, for those ballots to be counted. For more information on which LAA's are up for election in each NJ county office, please visit the NJ FSA website: <https://www.fsa.usda.gov/state-offices/New-Jersey>

Dairy Margin Coverage Program (DMC)

The DMC program is a voluntary program that provides dairy operations with risk management coverage that will pay participants when the difference, or margin, between the National price of milk and the average cost of feed falls below a certain level selected by the producers in a dairy operation. Annual registration for 2023 DMC is open and will end on December 9, 2022.

A decision tool is available that provides the following information to dairy operations considering 2023 DMC enrollment:

- forecasted estimates of feed and milk prices through 2023
- historical analysis of DMC/MPP program value for the last 5 years at the \$9.50 coverage level
- 2021 and 2022 margins including projections for the rest of 2022.

Dairy operations can access the updated decision tool at <https://dairymarkets.org>

NJ Department of Agriculture will be reimbursing Dairy Farmers for their 2023 DMC premiums paid on or before April 20, 2023. Please contact your local FSA service center for additional information and an application of you did not receive one in the mail.

Food Safety Certification for Specialty Crops (FSCSC)

The Food Safety Certification for Specialty Crops (FSCSC) Program provides assistance to specialty crop operations that incurred eligible on-farm food safety program expenses in 2022 and 2023.

To be eligible for FSCSC applicants must meet the following:

- Be a specialty crop operation.

- Have obtained or renewed a:
 - 2022 food safety certification that was issued between June 21, 2022, and December 31, 2022; or 2023 food safety certification issued during calendar year 2023; and
- Have paid eligible expenses.
- Meet the definition of a small business or very small business.
 - o small business: average annual value of specialty crops sold during the 3-year period preceding the program year of more than \$250,000, but not more than \$500,000
 - o Very small business: average annual value of specialty crops sold during the 3-year period preceding the program year of no more than \$250,000.

The application deadline of January 31, 2023 is for 2022 expenses with a certification date of June 21, 2022, through December 31, 2022. Contact your local FSA service center for more information.

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, Alyson.Dyson@usda.gov, with any questions.

Farm Loan Program

Disaster Declarations

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 1 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):

- Secretarial Disaster Designation S5305 was triggered for Farmers in Bergen, Essex and Union counties who suffered losses due to Severe Drought that occurred August 9, 2022. Applications must be received by June 5, 2023.
- Secretarial Disaster Designation S5306 was triggered for Farmers in Bergen, Passaic and Sussex counties who suffered losses due to Severe Drought that occurred August 9, 2022. Applications must be received by June 5, 2023.
- Secretarial Disaster Designation S5312 was triggered for Farmers Middlesex, Somerset, Hunterdon, Mercer, Monmouth, Morris, and Union counties who suffered losses due to Severe Drought that occurred August 16, 2022. Applications must be received by June 12, 2023.

Inflation Reduction Act

On August 16, 2022, President Biden Signed into law the Inflation Reduction Act of 2022 (IRA). This legislation repealed Section 1005 of the American Rescue Plan Act (ARPA).

The inflation Reduction Act is a historic, once-in-a-generation investment and opportunity for the agricultural communities that USDA serves. The Inflation Reduction Act will help producers stay on the farm, prevent producers from becoming ineligible for future assistance, and promote climate-smart agriculture by increasing access to conservation assistance.

The U.S. Department of Agriculture (USDA) announced on October 18, 2022, that distressed borrowers with qualifying USDA farm loans have already received nearly \$800 million in assistance as part of the \$3.1 billion in assistance for distressed farm loan borrowers provided through Section 22006 of the Inflation Reduction Act (IRA). The IRA directed USDA to expedite assistance to distressed borrowers of direct or guaranteed loans administered by USDA's Farm Service Agency (FSA) whose operations face financial risk. For more information on this press release, please visit: <https://www.usda.gov/media/press-releases/2022/10/18/usda-provides-payments-nearly-800-million-assistance-help-keep>.

USDA continues to work on longer-term assistance and improving the way that USDA approaches borrowing and loan servicing. More information will be posted to this webpage as it becomes available. <https://www.farmers.gov/inflation-reduction-investments>.

REPORT OF NJ FARM BUREAU

Peter Furey represented the Farm Bureau and reported on the following topics:

- Excellent Convention – good body of resolutions adopted with full attendance. Speakers were good, good comradery and we look forward to Alan Carter's Presidency, he has already taken the command at the Board meeting yesterday.
- Meeting with the Senate Economic Growth Committee – Chairwoman invited Farm Bureau for a Special Meeting on December 15 and they will share the floor with our partner agencies, the State Board; Experiment Station; Farm Credit and someone from the Women's Committee to discuss economics, not legislation.
- Meeting with the Commissioner of Labor being scheduled and invited a department representative.

REPORT OF NATIONAL AGRICULTURAL STATISTICS SERVICE (NASS)

Justin Zappan represented NASS and reported the following:

- Soybean estimates based on conditions as of November 1, NJ farmers expected yield average of 30 bushels per acre of soybeans in 2022 which is down from 46 bushels per acre last year. With the expected acres harvested from 108,000 acres, up from last year's 99,000 acres.
- Census of Agriculture, codes to respond online are being mailed on November 22 and the user questionnaire will be mailed by December 3.

ON the MOTION of Holly Sytsema, seconded by Paul Hlubik, the Board voted to send a letter thanking Governor Murphy to allow for the bear hunt considering the human safety factor.

Debbie Norz abstained from the vote.

PUBLIC COMMENT

Julie Hawkins, NRCS reported that she wanted to share that despite being on a continuing resolution and not having the federal budget yet, they did receive their mandatory conservation program funds. They are up about 1.2 million this year which is a 14% increase and are very excited.

Nicole Voight again thanked the Board for the opportunity to respond. She sincerely appreciates the passionate exchange that occurred about the frustrations of government process genuinely. As a legal representative, weekly trained representative of your constituents, that's why the transparency and the boundaries around what staff were doing is so important. So, with respect to the exchange that I had on this, it falls against the backdrop of my clients, very diligent efforts and very experienced consultants, lobbyists and staff who are already in many discussions with the CRC having cleared the way to do this on preserve farmlands. While they're informal discussions with the CRC, I walked into my discussions with the SADC pretty much under the impression that the CRC had not prohibited this on preserved farmland. The FAQ first appeared to me on September 28th, by email from an SADC staffer. Excuse me, September 29th in response to receiving the legal notice for the land use application. In that email I was provided something called the CRC guidance.

The CRC guidance was a PDF called NJ Cannabis Regulatory Commission FAQ. Cannabis, marijuana and hemp.pdf. This is an incomplete hyperlink, so I hovered over it to see what this hyperlink was, and this hyperlink is an SADC document. It is not a CRC document; it is an SADC document. I confirmed with my client that she had learned that there was absolutely no guidance from this CRC. We could be wrong. That's the transparency of we're looking for here. I don't want to stick my neck out accusing anybody of misleading or accidentally misleading, but I'm going to tell you what I know because this is what I'm dealing with.

I'm used to laws and facts equaling an answer, and here I've got an FAQ. But in that email, I responded this is surprising, my last discussion with SADC staff person was in June of 2022. Our application was deemed complete in July of 2022. It appears the date of this guidance meeting the FAQ is July 25th. We asked them to cite the specific law that formed a basis for the FAQ, and I also asked for the minutes of all meetings of the SADC where the policy was discussed and voted upon, because mind you, I've looked at this link and this is an SADC document. The FAQ itself is not titled as having been voted on. It doesn't have Cannabis Regulatory Commission on it. It doesn't have SADC on it, but it is literally in the SADC documents. The response that I got was that the message had been referred to another SADC staff person and that. The guidance document on the CRC's website is complete as to rationale. As to SADC member for action, the committee has not taken any formal action on the matter to date. Ten days later got an email telling me that the CRC had posted the FAQ on its website. I believe this was possibly a new publication where the CRC took the SADC. This situation is unacceptable and is asking that the SADC take down the FAQ from the website.

MEETINGS

The next regular meeting of the State Board of Agriculture will be held on Wednesday, December 21, 2022, beginning at 12:30.

ADJOURNMENT

ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted unanimously to adjourn the regular meeting at 5:15 pm.

Respectfully submitted,

Douglas H. Fisher