



State of New Jersey
BOARD OF AGRICULTURE

MINUTES OF MEETING
May 24, 2023
(Wednesday)

Public meeting notice was certified by communication on May 18, 2023.

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, 200 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 DeFrance called the New Jersey State Board of Agriculture to order at 12:46 pm. Board members in attendance included President David DeFrance; 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 Patel, Division of Animal Health; Rose Chamberlain, Director, Division of Food & Nutrition; Assistant Secretary of Agriculture Joe Atchison, Director, Nancy Wood, Division of Marketing & Development; Sandy Howland, Division of Agricultural and Natural Resources; Chuck Roohr, Deputy Executive Director, SADC; Chris LaRegina, Jeff Wolfe, Jeff Beach, Rob Vivian, Nathan Schatz and Christina Rasiewicz, Office of the Secretary. Also in attendance were Peter Furey, Ashley Kerr, NJ Farm Bureau; Dr. Brian Schilling, Rutgers University; Sarah Fenwick, Farm Service Agency, Katura Wright, Acting State Conservationist, NRCS, and Linda Walker, NJ Department of Agriculture.

MINUTES OF PREVIOUS MEETING

ON the MOTION of Paul Hlubik, seconded by Debbie Norz, the Board voted unanimously to approve the minutes of the April 19, 2023 regular meeting.

PUBLIC COMMENT

Debbie Tribble and her husband Henry Rewerts reported to the Board an ongoing situation on their farm that is being handled through the SADC.

Secretary Fisher made the following statement:

Mr. Riewerts and Dr. Tribble own a landlocked parcel that is accessed via an easement across a preserved farm. The SADC has been involved with the driveway access issue since 2012. This matter is in litigation before the Office of Administrative Law and, on advice of counsel, I am precluded from responding or commenting on the issues raised by Dr. Tribble and Mr. Riewerts.

President DeFrango thanked them for coming to the meeting today and making the Board aware of this continuing issue. President DeFrango commented that the State Board does not exercise any authority over the SADC.

Jeff Burd, Mercer County Board of Agriculture and New Jersey Beekeepers was on hand to present Secretary Fisher with a plaque thanking him for his support of the New Jersey Beekeepers over the years in advance of his retirement.

SECRETARY'S REPORT

Secretary Fisher asked Rob Vivian to report to the Board on the most recent changes to the proposed Humane Standards legislation:

Mr. Vivian read from the Assembly Committee substitute:

An act concerning the confinement of certain calves and pigs, and supplementing Title 4 of the Revised Statutes.

1. a. As used in this section:

- "Breeding pig" means any female pig of the porcine species kept for the purpose of commercial breeding, who is six months or older or pregnant.
- "Calf raised for veal" means any calf of the bovine species kept for the purpose of producing the food product described as veal.
- "Enclosure" means a structure used to confine one or more breeding pigs or calves raised for veal.
- "Fully extending the animal's limbs" means fully extending all limbs without touching the side of an enclosure or another animal.
- "Turning around freely" means turning in a complete circle without any impediment, including a tether, and without touching the side of an enclosure or another animal.

b. In addition to the standards adopted pursuant to subsection a. of section 1 of P.L.1995, c.311 (C.4:22-16.1), and notwithstanding any other provision of law to the contrary, the State Board of Agriculture and the Department of Agriculture, shall, within 180 days after the date of enactment of this act, develop and adopt, pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations, which:

- (1) prohibit the confinement in an enclosure of any breeding pig in a manner that prevents the animal from lying down, standing up, fully extending the animal's limbs, or turning around freely;
- (2) prohibit the confinement in an enclosure of any calf raised for veal in a manner that prevents the animal from lying down, standing up, fully extending the animal's limbs, or turning around freely;

- (3) require that calves raised for veal are confined in a manner such that each calf can groom itself naturally and have visual contact with other calves; and
- (4) establish penalties for violations of the provisions of paragraphs (1) through (3) of this subsection.

- c. The rules and regulations adopted pursuant to subsection b. of this section may include
 - (1) medical research;
 - (2) examination, testing, individual treatment, or operation for veterinary purposes, but only if performed by or under the supervision of a licensed veterinarian, either in person or via a telemedicine appointment;
 - (3) transportation;
 - (4) State or county fair exhibitions, 4-H programs, or similar temporary exhibitions;
 - (5) humane slaughter in accordance with applicable laws and regulations; and
 - (6) confinement of a breeding pig during the 14-day period prior to the expected date of the breeding pig giving birth or on any day when the breeding pig is nursing piglets.

- 2. This act shall take effect immediately.

Secretary Fisher announced that Governor Murphy and the Legislature appropriated \$4 million dollars to the Department to battle the Spotted Lanternfly. This money will be available shortly and the Department will be providing information on the program as soon as it becomes available. In addition, he commented on the great success, the previous evening, of the Eastern Produce dinner held at Demarest Farms in Bergen County. He congratulated the Division of Markets team for their hard work, the event was well attended, and the reviews were excellent. Secretary Fisher reported that the Department had completed their annual budget hearings. He noted that there was a great deal of interest in all the budget hearings this funding cycle. He commented that he was pleased that the State Board SPS Committee and the SADC Committee had a chance to meet again to review and comment on the SPS Rule before it would be published in the NJ Register for comment.

Assistant Secretary Joe Atchison, Division of Marketing & Development, also reported on the Eastern Produce Council dinner that was held the previous night and thanked his staff for their hard work to make the evening such a success, while noting that they are already making changes for next year. He noted that it was very well attended, and the audience was enthusiastic about Jersey Fresh. In addition, he noted that much of the meal was made from Jersey products. He noted that the Jersey Fresh campaign was in full swing with billboards, bus banners, etc.

Joe Zoltowski, Director, Division of Plant Industry, reported that all municipal LDD (gypsy moth) egg mass ground surveys have been completed and staff continue working with participating municipalities to ensure they have completed all their requirements prior to the beginning of treatment activities. A total of 5,327 acres of state and residential municipal properties in Burlington, Cape May and Ocean Counties were treated. Of this number, 1,221 acres in eight blocks are recommended to be treated a second time due to the large numbers of eggs in the blocks to date, a total of 4,198 acres in Cape May and Burlington Counties have been treated. Finally, so far this season, SLF teams have destroyed 268,515 egg masses. Crews scraped egg masses at 72 properties during the reporting period. In addition to egg mass scraping, traps have been deployed at 112 locations for the high-density trapping scheme used to reduce SLF populations.

Dr. Amar Patel, Director, Division of Animal Health, reported that there was a quarantine in Hunterdon County regarding a sheep testing positive for rabies and must be quarantined for 21 days. He noted Foreign Animal Disease training in June 2023 as well as the National Poultry Improvement Plan annual meeting.

Sandra Howland, Division of Agricultural & Natural Resources, announced that the deer fencing program for non-preserved farms was live as of May 15. She noted that they have received many inquiries, but no applications have come in yet. Meetings continue between DEP and DCA regarding on-farm septic and fire issues. Frank Minch recently attended the Atlantic County Board of Agriculture meeting to discuss ongoing issues.

Rose Chamberlain, Director, Division of Food & Nutrition, thanked Secretary Fisher for the comments he made from the Food Bank thanking the Department for their efforts during COVID to feed the children in the State. She reported that the staff from the Farm to School Program was on hand to take part in a State Board meeting. In addition, she reported that they have received some great feedback for their programs and noted that one teacher reported that she would be having tastings the last week of school. Another teacher commented that they would be making their own "food truck" for school use.

Chuck Roohr, Deputy Executive Director, SADC, reported that the May SADC Meeting would be the next day at 200 Riverview Plaza, Trenton. He noted that at its April meeting, the SADC approved sending the proposed SPS rules to the Governor's office for review. Once approved, the rule will return to the SADC for a formal vote to publish it in the NJ Register as a proposed rule. There will be a 60-day public comment period once it is published. A copy of the draft rule is posted on the SADC's website. The staff is now focused on the process of creating, printing, and mailing soil protection mapping to each property owner and easement holder (grantee) for the ~2,900 preserved farms in the program. They anticipate maps will be mailed, with accompanying explanatory documents, on or before publication of the proposed rule in the NJ register. In addition, the Ag Management Practices Rule has been approved for posting to the NJ Register and will be open for public comment which amend several SADC Agricultural Management Practices (AMPs). The amendments to the commercial vegetable production AMP, the commercial tree fruit production AMP and the wildlife fencing AMP are intended to update references to applicable Rutgers Cooperative Extension technical guidance documents, including future amendments and supplements thereto. The AMP for on-farm compost operations includes reference to a recently adopted Rutgers technical report allowing the on-farm composting of livestock mortalities. Further, he announced that the SADC would be making an SOE presentation to Rutgers Cooperative Extension agents on May 22 and to Somerset CADB in early June. A webinar is posted on the SADC's website along with guidance documents, a sample application, an application checklist, and a Production Value Estimator Tool spreadsheet. The SADC anticipates hosting an evening webinar for the landowners in early June. On June 12 staff will be hosting its second meeting in a series of farmland preservation post-closing action discussions for municipal officials with SOEs as a specific topic. The SADC is preparing to send all municipalities with preserved farms copies of the guidance documents for SOEs and links to the webinar on the SADC website. Finally, he reported that the SADC soon would be advertising to solicit candidates for the newly created staff position dedicated to supporting viability of New Jersey's farms. The SADC is seeking a candidate with substantial on-farm experience and knowledge to assist in identifying and advancing SADC initiatives in this area. Any interested candidates should contact him for more information.

Secretary Fisher commented that he would be initiating a campaign drive for Jersey Fresh and if every county could add five new farms it would really make a difference to the program.

BOARD MEMBER COMMENTS

Kurt Alstede reported that in the fruit world there was some very challenging weather recently and they fear that there may have been some damage to apples which is extremely rare. He noted that there has been grape, Christmas tree and peach damage. He noted that there is more weather adversity than ever before and that risk management tools are very effective.

Lisa Specca reported that farms in the Burlington County area saw their first-cutting of hay/straw. It has been extremely dry and rain it needed. She reported their strawberry crop was strong despite the weather conditions. She noted that the FMNP and Senior Program that was very troubling to access is transitioning to something different, with trainings underway that have been well attended and very informative. She noted that they would be rolling out the new program June 1 and she is very optimistic about it. She noted that Ocean County Board has been struggling with quorum issues. She noted that Atlantic County held their Legislative Picnic on May 19 that was well attended by some of their new legislators so that farmers could speak with them. She commented that the new septic system permit and potable water issue continues to be a concern in Atlantic County. She reported that Frank Minch had attended the April meeting and had a very productive discussion with the Board and did a great job answering a lot of very hard questions. Members of the Atlantic County Board were grateful that he had talked with them, and he will continue to work with them.

Holly Sytsema commented that field work was underway, but hay yields are low. She noted that she attended the Sussex CADB meeting to listen to some concerns that there are regarding land auctions being held and fairness. She noted that it was stated that the land auctions should be held the same way throughout the State. In addition, she noted that the Nominations Committee had not met as there has been no action on the new members. Finally, she noted that the Wildlife Committee is waiting for an update from Fish & Game on the bear management plan.

Barney Hollinger commented that oyster sales have been up and down. He noted that the cold weather has also affected them but also that the red knot has not been a problem due to the temperatures. He noted that at the Cape May County Board meeting they talked about the upcoming fair. He noted that there was concern about a new Asian mite that could be a problem and heard that there was going to be a 10% cut in Rutgers Extension. Brian Schilling was on hand and said that was not the case. He reported that at the Cumberland County Board of Agriculture they talked about the drone demonstration that was going to be held at Centeron Nursery on June 8.

Paul Hlubik reported that the nursery industry in Burlington County seems to be strong with lots of movement of product. He noted that corn/soybean planting was delayed slightly because of the dry conditions. He noted that there have been some recent visits by the Fire Marshall with some being fined for different issues. He commented that with the FFA Convention currently underway he is encouraged about the future of agriculture.

Debbie Norz announced that Somerset County was excited about their upcoming Ag in Action Day on June 10. She noted beans are up and rye is getting cut next week and they were finally able to use the new round baler wrap. She reported that the blueberries and peaches look very good and could be a week earlier. She also commented about the FMNP program is not quite setup yet. She too noted that the new staff that did the training was very informative, however there are still many unanswered questions regarding the program. Assistant Secretary Atchison commented that he would continue to work on the issues.

Vice President Beier commented that the Gloucester County Board of Agriculture met recently and that much of the field work is being done but that they need rain. He noted that the County Board would be on summer break and resume in September. He noted that many in the area have hay on the ground (including his farm). He noted that there have been some problems with livestock because of the weather conditions as well as some birthing issues for equine. This is a very busy time of year with lots of crazy hours.

President DeFrangé reported that Hunterdon County has been working to invite more growers to be involved in the County Board as well as some new farmers. He announced that he would be travelling to the FFA Convention following today's meeting and is very excited to see the enthusiasm in the youth. He noted that recent cold weather has been traumatic for some plants. He noted that with the increased costs of everything they are trying to make some changes to the County fair that would make things more inclusive for all segments of the County.

REPORT OF RUTGERS UNIVERSITY

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

- Invited the Board to meet with Dave Robinson, State Climatologist. There is currently a search underway for an applied climatologist.
- Noted that the Rutgers budget is going to be very difficult this year, with some of the COVID monies going away, recent staff strike and the rising costs of everything. He noted that the following new hires:
- Ming-Yi Chou, assistant extension specialist in the Department of Plant Biology, with expertise in turfgrass pathology, focuses on evaluating and developing efficient cool-season turfgrass disease management measures, including cultural practices, disease prediction models, synthetic fungicides, and biorational agents.
- Jean Epiphan, agricultural agent, RCE of Morris County, Department of Agriculture and Natural Resources, focuses on commercial nursery production and sustainable landscape management, assisting with the Rutgers Master Gardener and Environmental Stewards programs.
- Kaitlin Quinn, North Jersey Tree Fruit IPM program associate housed at RCE of Hunterdon County, is responsible for regional implementation of the Tree Fruit IPM Program, including grower engagement, recruitment, and coordination, and general program support for commercial tree fruit, grape, and other fruit growers.
- Melissa Bright, 4-H agent, RCE of Somerset County, Department of 4-H Youth Development, focuses on 4-H agri-science with a concentration in dairy and livestock. She will also oversee the Somerset County 4-H program, including club management and volunteer recruitment and development.

- Abigail Kesely, senior 4-H program coordinator, Department of 4-H Youth Development, moved into a new statewide role overseeing the 4-H civic engagement programs and marketing and communications for New Jersey 4-H. Prior to this role, Abigail led the Bergen County 4-H program.
- Jennifer Salt Taylor is the FCHS Educator in Passaic County. A longtime professional who has focused on community nutrition and increasing access to healthy foods, her FCHS role is to support equitable and sustainable community food systems in the county.

REPORT OF FARM SERVICE AGENCY (FSA)

Organic Certification Cost Share Program (OCCSP)

The 2023 Organic Certification Cost Share Program is now open and FSA will be accepting applications through October 31, 2023 for certification expenses paid October 1, 2022 through September 30, 2023. Organic producers will be reimbursed up to 75% of costs associated with organic certification, up to \$750 per scope (crops, wild crops, processing/handling).

Livestock Indemnity Program (LIP), Livestock Forage Program (LFP) & Emergency Assistance for Livestock Honeybees and Farm Raised Fish (ELAP)

New livestock included in all three programs include ostriches and livestock that contribute to the commercial viability of a farming operation and are maintained for the purpose of pleasure, roping, pets, or show, by an owner, lessee, or contract grower. Livestock used for hunting and consumption by the owner or are used or intended to be used for racing or wagering are ineligible. Producers who are now eligible can apply for 2022 LIP/ LFP/ ELAP benefits through June 2, 2023.

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, the 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.

Emergency Relief Program – Phase 2 (ERP Phase 2)

Emergency Relief Program (ERP) and Emergency Livestock Relief Program (ELRP) assistance to crop and livestock producers who sustained losses due to a qualifying natural disaster event in calendar year 2022 has been announced (previously covered 2020 and 2021). USDA is sharing early information to allow producers time to gather documents in advance of program delivery. Through distribution of remaining funds, USDA is also concluding the 2021 ELRP program by sending payments in the amount of 20% of the initial ELRP payment to all existing recipients.

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.

Organic Dairy Marketing Assistance Program

The U.S. Department of Agriculture (USDA) announces assistance for dairy producers with the new Organic Dairy Marketing Assistance Program (ODMAP). ODMAP is established to help mitigate market volatility, higher input and transportation costs, and unstable feed supply and prices that have created unique hardships in the organic dairy industry. Specifically, under the ODMAP, USDA's Farm Service Agency (FSA) is making \$104 million available to organic dairy operations to assist with projected marketing costs in 2023, calculated using their marketing costs in 2022.

FSA is providing financial assistance for a producer's projected marketing costs in 2023 based on their 2022 costs. ODMAP provides a one-time cost-share payment based on marketing costs on pounds of organic milk marketed in the 2022 calendar year. ODMAP provides financial assistance that will immediately support certified organic dairy operations during 2023 keeping organic dairy operations sustainable until markets return to more normal conditions. FSA will begin accepting applications for ODMAP on May 24, 2023. Eligible producers include certified organic dairy operations that produce milk from cows, goats and sheep.

The signup period will open on May 24 and run through July 24, 2023. Details about the Organic Dairy Marketing Assistance Program will be available and updated at www.farmers.gov as more details are released.

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.

REPORT OF NJ FARM BUREAU

Peter Furey represented the Farm Bureau and provided a written update to the Board but noted the following:

- Pig crates bill – following this for 7 years – its moving and hopes it will pass.
- State Board nominations – working to help get those across the line.
- Invasive Species bill – continues to be a concern, been around a while and needs to get accomplished.
- Soil Protection – close but not satisfied with the waiver section.

REPORT OF NATIONAL AGRICULTURAL STATISTICS SERVICE (NASS)

Bruce Eklund reported to the Board that the annual fruit survey was released last week with NJ doing very well for blueberries, cranberries and peaches. The annual floriculture report will be released tomorrow. All Census information must be completed by the end of the month.

REPORT OF NRCS

Katura Wright, Acting State Conservationist reported the following:

- Organic Transition Initiative (OTI)
 - The NJ ranking date for OTI is June 9.
 - Farmers, ranchers, forest landowners, and other producers beginning or in the process of transitioning to organic certification are eligible to apply.
 - The Notice of Funding Opportunity for the six organic technical experts closes on June 11.
- Inflation Reduction Act Funding for Climate-Smart Practices Extended
 - While applications for EQIP were due May 1, the sign-up period for CSP were extended till June 9.
 - A complete list of eligible climate-smart practices can be found on the NJ NRCS website.
- Regional Conservation Partnership Program (RCPP) Improvements and Availability of Funding
 - NRCS will invest \$500 million investment in 2023 for Regional Conservation Partnership Program projects.
 - In addition to the funding opportunity, USDA is announcing a concerted effort to streamline and simplify RCPP and improve the experience for partners, producers and employees.
 - The 2023 RCPP funding priorities are projects that support climate-smart agriculture as well as urban agriculture and underserved farmers and ranchers.

- NRCS will be hosting two webinars to provide additional information. The webinars will take place on May 24 and June 7, from 2–3:30 p.m. Anyone interested can join via the links posted on the RCPP How to Apply website.
- Applications for RCPP are being accepted now through August 18 through the RCPP portal.
- Efforts to Streamline Agricultural Conservation Easement Program
 - In response to feedback from producers, landowners and conservation partners, NRCS is rolling out several improvements to ACEP.
 - NRCS is updating its processes around appraisals, land surveys, as well as certifying eligible entities who help NRCS and producers enroll land into easements. These changes are for ALE and WRE.

Board member Paul Hlubik reported that the SPS was passed by the SADC but noted that there will still be much time for comment in the future. He reported that we have come a long way since December and all need to keep in mind that this is still a working document but that he feels a whole lot better about the process today and looks forward to seeing the maps noting that there is still ample time to bring other things into the mix and that we are light years ahead of where we were.

President DeFrance commented that this was a very challenging process but also feels that we are in a good place and there is still work that can be done going forward.

There was some further discussion on the SPS rulemaking.

NEW BUSINESS

Debbie Norz reported the following on legislation that the Legislative Committee had recently discussed:

- A-203 Authorizes creation of special license plates commemorating horse as State animal.
- A-1915 Establishes "pollinator-friendly" label for plants.
- A-2354 Establishes procedures for seizure, care, and forfeiture of animals involved in animal cruelty violations.
- A-2805 Establishes NJ Native Seed Commission to develop plan to increase production and use of native seeds in the State.
- A-2807 Requires State Board of Agriculture to provide list of environmentally harmful plant species to certain committees of Legislature each year.
- A-2810 Directs DEP to establish leasing program for State-owned land to be used and managed as pollinator habitat.
- A-2994 Designates Common Eastern Bumble Bee as New Jersey State Native Pollinator.
- A-3017 Establishes New Jersey Healthy Soils Program; establishes grant program for soil testing of urban agriculture sites; establishes Urban Agriculture Site Soil Testing Fund.
- A-3677 Prohibits purchase, sale, distribution, import, export, or propagation of certain invasive species without permit from Department of Agriculture or Department of Environmental Protection; establishes NJ Invasive Species Council.
- A-4087 Clarifies that veterinarians are not within the ambit of telemedicine and telehealth law.

- A-5072 Establishes bee-friendly habitat pilot program in Department of Agriculture; appropriates \$1 million.
- A-5209 Establishes Agritourism Fund; requires annual appropriation of \$2.5 million from General Fund; appropriates \$2.5 million.
- AR-79 Urges Division of Parks and Forestry to market and offer local NJ-based art and agricultural products at park sites, whenever possible.
- S-981 Establishes procedures for seizure, care, and forfeiture of animals involved in animal cruelty violations.
- A-1970 Requires State Board of Agriculture and Department of Agriculture to adopt rules and regulations concerning confinement of breeding pigs and calves raised for veal.

Ms. Norz asked that the Board give permission to the Legislative Committee to act on the previously mentioned legislation if a letter has not been written.

Debbie Norz commented and there was a lengthy discussion regarding the Humane Standards legislation (A1970/S1298) that has language that makes some feel is too restrictive. Board member Paul Hlubik commented that this has been around for a long time and commented that the letter should go as written.

ON the MOTION of Barney Hollinger, seconded by Ernest Beier, President DeFrangé asked for a roll call vote: Kurt Alstede, yes; Lisa Specca, yes; Warren Hollinger, yes; Holly Sytsema, yes; Paul Hlubik, yes; Debbie Norz, yes; Ernest Beier, yes; David DeFrangé, yes. The Board voted unanimously to give permission to the Legislative Committee to send the necessary letters on the legislation that was previously mentioned by Ms. Norz including A1970/S1298.

Approval – Authorize Proposed Rulemaking – Proposal to Amend N.J.A.C. 2:2 (new Subchapter 2:2-9) and to Amend N.J.A.C. 2:3 (changes to 2:3-1.4)

Board member Holly Sytsema reported that the Livestock Committee had met to review these rules that deal with the Scrapie Rule is a degenerative and eventually fatal disease affecting the central nervous systems of sheep and goats. She noted that the Committee met with Drs. Patil and Reist of the Division of Animal Health as well as Chris LaRegina and Nathan Schatz of the Office of the Secretary. To review this rule and have the opportunity to comment.

ON the MOTION of Holly Sytsema, seconded by Paul Hlubik, the Board voted unanimously to Authorize Proposed Rulemaking – Proposal to Amend N.J.A.C. 2:2 (new Subchapter 2:2-9) and to Amend N.J.A.C. 2:3 (changes to 2:3-1.4) related to the Disease Control Program.

Information regarding this will be provided on the Department website.

In addition, the Livestock Committee would like the Board's approval to send a letter in opposition to S2464/A4087 that would bar veterinarians from practicing the same kind of telemedicine that their counterparts who treat humans can do. This legislation contradicts and would make obsolete an existing regulation promulgated by the New Jersey State Board of Medical Examiners, (N.J.A.C.13:44-4A.1), which specifically lists veterinarians among those healthcare providers who can engage in telemedicine visits.

ON the MOTION of Holly Sytsema, seconded by Debbie Norz, the Board voted to send the letter as presented.

Dr. Ernest Beier abstained from the vote.

Holly Sytsema commented that there was a draft letter to County Ag Board presidents regarding the possibility to fund incentives for livestock veterinarians the hope to keep them in State especially with the new School of Veterinarian Science at Rowan University.

ON the MOTION of Holly Sytsema, seconded by Debbie Norz, the Board voted unanimously to send the letter as presented.

Board member Lisa Specca reported that State Board of Agriculture had empaneled a subcommittee involving three members of the Board and direct-marketing and pick-your-own farmers to continue clarifying the circumstances under which plastic bags can be used in their on-farm retail operations. P.L. 2020, c.117 prohibited single-use carryout plastic bags in many aspects of the retail sector. However, the bill also provided for a number of exemptions to the ban, including but not limited to the following:

- (1) a bag used solely to contain or wrap uncooked meat, fish, or poultry.
- (2) a bag used solely to package loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers, or small hardware items.

At the State Agricultural Convention in February 2023, the delegates overwhelmingly approved a resolution to have the Board form the bag subcommittee and have that group investigate the expected impacts of the ban moving forward, in particular to seek clarification of the ban, consider the cost and feasibility of practical alternatives, and to make recommendations for measures needed to support these farm operations regarding plastic bags. She reported that the subcommittee meet with representatives of the NJDEP, the Plastics Advisory Council, and NJDA's representative to that Council, to clarify issues regarding the plastic bag ban that are impacting on-farm retail markets and pick-your-own operations.

ON the MOTION of Paul Hlubik, seconded by Lisa Specca, the Board voted unanimously to approve the letter as presented.

Board Member Paul Hlubik commented that the Board should send a letter regarding A 4729 that [revises method for appraisals of farmland to be acquired for farmland preservation purposes](#).

ON the MOTION of Paul Hlubik, seconded by Debbie Norz, the Board voted to send a letter to the Committee regarding the appraisal method be developed by SADC.

Approval for FY 24 State Food Purchase Program – Gleaning Support Grant

President DeFrange commented that the Grants Committee had met to discuss the FY 24 State Food Purchase Program. Through this program, competitive grants have been made available to gleaning organizations to assist in the collection and distribution of gleaned produce and nutrient dense food.

Division of Food & Nutrition Director Rose Chamberlain reported to the Board that since FY 07 there has been an annual state appropriation of funds for distribution through the Department of Agriculture's State Food Purchase Program Emergency Feeding Organizations (EFOs) for the purchase of nutritious food. She noted that they discussed asking for two years of information instead of three years.

ON the MOTION of Paul Hlubik, seconded by Debbie Norz, the Board voted unanimously to request \$300,000 for the appropriation for the Gleaning Grant Program.

Approval – Commercial Values per N.J.A.C. 2:69-1.11 – No comments received through May 15, 2023

Assistant Secretary Joe Atchison commented that this was previously before the Board and that no comments were received.

ON the MOTION of Paul Hlubik, seconded by Lisa Specca, the Board voted unanimously to approve the Commercial Values per N.J.A.C. 2:69-1.11 – No comments received through May 15, 2023

Spotted Lanternfly Grant Funding

Secretary Fisher reported that the Department wanted to announce the opportunity to assist county and municipal governments in their efforts to slow the spread and reduce spotted lanternfly populations in New Jersey. The New Jersey Department of Agriculture is making grant funds available to counties and municipalities to battle the spotted lanternfly. Interested counties and municipalities may apply to receive funds from the Department. The Legislature has provided funding to the Department to reduce SLF populations and minimize their spread. As you may be aware, SLF is both a nuisance and an economic pest. Both federal and state staff are doing their best to reduce populations but in doing so we will need additional assistance and support from other stakeholders to make a difference.

Vineyards and grape growers may see serious economic damage through the insects feeding on the grape vines producing crop loss and vine death. Additionally, green industries and other businesses may be impacted by outside restrictions being put on the movement of their goods. The Department has appropriated \$4.9 Million for this grant program. A total of up to \$50,000 per county, and up to \$15,000 per municipality, subject to the availability of funds, to be encumbered on a first-come, first-served basis, will be provided to reimburse for eligible costs incurred for SLF chemical treatment activities. He commented that all the information will be available on the Department website once everything has been finalized.

A letter was received from the Morris County Board of Agriculture regarding some concerning activity taking place to impose a rule that all buildings/structures in place for six months and that would create runoff would require a drywell.

ON the MOTION of Debbie Norz, seconded by Barney Hollinger, the Board voted unanimously to have the Policy Committee look into the matter and report back.

Kurt Alstede abstained from the vote.

PUBLIC COMMENT

None.

MEETINGS

The next regular meeting of the State Board of Agriculture will be held on Wednesday, June 28, 2023 beginning at 12:30 pm at Riverview Plaza.

A motion for Executive Session was made.

ADJOURNMENT

ON the MOTION of Paul Hlubik, seconded by Debbie Norz, the Board voted unanimously to adjourn the regular meeting at 7:05 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. H. Fisher', written in a cursive style.

Douglas H. Fisher