



State of New Jersey

**BOARD OF AGRICULTURE**

**MINUTES OF MEETING**

**October 19, 2022**

**(Wednesday)**

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

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

President David DeFrango called the New Jersey State Board of Agriculture to order at 12:35 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, Division of Food & Nutrition; Assistant Secretary of Agriculture Joe Atchison, Director, Nancy Wood, Division of Marketing & Development; Joe Zoltowski, Director, Division of Plant Industry; Frank Minch, Director, Division of Agricultural and Natural Resources; Susan Payne, Executive Director, SADC; Christina Rasiewicz, Chris LaRegina, Robert Vivian, Jeff Wolfe and Jeff Beach, Office of the Secretary. Also in attendance were Ashley Kerr, NJ Farm Bureau; Sarah Fenwick, Bruce Eklund, Farm Service Agency, and Linda Walker, NJ Department of Agriculture.

ON the MOTION of Paul Hlubik, seconded by Holly Sytsema, the Board voted unanimously to approve the minutes of the September 28, 2022, regular meeting with a few minor corrections.

**SECRETARY'S REPORT**

Secretary Fisher announced that Mark Dinglasan, the New Food Security Advocate, will be residing in the Department of Agriculture offices and looks forward to attending the next meeting of the State Board.

Secretary Fisher called on the Directors to make their reports:

Rose Chamberlain, Director, Division of Food & Nutrition, reported that the Division had celebrated Farm to School Week by hosting a professional development workshop at the Newark Conservancy on Wednesday, October 12 for education professionals and school lunch professionals. The focus was a beginner's approach to implementing Farm to School in their district/community. The event was hosted by Hawthorne Farm, a three-acre urban farm in the heart of Newark. In addition, she reported that "Save the Date" cards for the USDA Foods Conference will be sent to all schools participating in the National School Lunch Program.

Joe Zoltowski, Director, Division of Plant Industry, reported that plans continue to be developed for a fall SLF outreach campaign that collaboratively works with both Rutgers and Seton Hall University Athletic Departments to promote SLF awareness during their basketball games over the winter months into the college basketball playoff season. In addition, he announced that LDD Surveys have been completed in five municipalities in Cape May, Burlington and Cumberland Counties. A total of 30 more need to be completed by the end of November. To date, a total of 19 areas in Cape May and Burlington Counties have been identified for treatment during the spring of 2023. He updated the Board on the continuing talks on the work that will be done at the PA Bug lab.

Dr. Sebastian Reist, Assistant Director, Division of Animal Health, reported that Division staff are dealing with High Path Avian Influenza (HPAI) 24/7 because of what is happening in the states around us. He reported that the quarantine length has been extended to 128 days. He reported that Pennsylvania has been exploding with cases of HPAI over the last several weeks. He reported that they are working to help move table eggs safely and making sure the live bird markets are all running smoothly and safely during this time. In addition, at a recent conference there was a brief discussion about the gestation crate bill.

Assistant Secretary Joe Atchison, Director, Division of Marketing & Development, reported that he had recently returned from the Food Export Conference in Chicago. He noted that the Agri-Tourism farms have had decent weather and that the coming weekend forecast looked very promising. He reported that the dairy margin coverage letters would be going out to those who are registered. In addition, he announced that they were working on the point of purchase materials for the Jersey Raised program and hoped that they will be to the printer shortly to help promote the new program. He reported that they are working to set up a meeting with the Department of Health regarding the WIC and Snap benefits payment systems.

Frank Minch, Director, Division of Agricultural & Natural Resources, reported to the Board that earlier that day he attended a stakeholder meeting with DEP regarding the flood control rules. He reported that they would also be meeting agency to agency regarding the proposed changes to the flood hazard rules as well as the wetlands rules. It was decided that the Policy Committee should meet with Frank to begin discussions on this issue prior to it being published in the NJ Register.

There was a discussion regarding sending a letter to Senator Durr from the Board to ask for his approval for Bob Blew for the State Board of Agriculture.

ON the MOTION of Lisa Specca, seconded by Paul Hlubik, the Board voted unanimously to send a letter of support for Bob Blew.

## BOARD MEMBER COMMENTS

Debbie Norz reported that the Somerset County Board of Agriculture would be having their annual meeting the following evening. She reported that the Legislative Committee had met with Division of Food & Nutrition Director Rose Chamberlain to discuss proposed legislation. She noted that they are appreciating the pleasant weather and are excited to have schools visiting the farm again. In addition, she has noticed that the parents seemed to be much more engaged with the students. She commented that she has been contacted by several farmers that are complaining about the issues with the WIC system and the time that it takes each day to have it running. This issue continues to be extremely frustrating with the farmers and consumers are losing out because of it. Finally, she commented on the proliferation of warehouses on farmland and the issues involved. She asked that letters be sent to Legislature and the Department of Health regarding the issues with the WIC system.

Paul Hlubik reported that at the Monmouth County Board of Ag meeting, the machine issue for WIC was addressed and it is very serious as many farmers are commenting that they have lost a great deal of the WIC monies because of the problems. He reported that Monmouth County has a new President, Meg Whitehouse. He announced that Burlington County Board of Agriculture would be meeting the next night at Locust Hall Farm, owned by Pete Johnson, and their annual dinner meeting will be held on November 5. He announced that yields were down because of weather related issues. Some drought designations have been made for certain counties; others are expected to follow.

Holly Sytsema commented that Sussex County farmers were also affected by the drought like conditions. In addition, she announced that Sussex County would be meeting and reorganizing the following week. She reported that the Livestock Committee recognizes that the Humane Standards are automatically updated, and the Wildlife Committee continues to work on the bear issues as they have become a public safety issue. She noted that there recently a bear sitting on the steps of the county courthouse.

Barney Hollinger announced that Cape May County Board of Agriculture had recently met and reorganized. He noted that there was a discussion on Right to Farm and he told them of the Board's survey. Cumberland County would be meeting the next day. He reported that on their farm they are continuing to put seed out and the harvest was good. He noted that over the weekend the Bayshore Center held a local oyster festival with more than 700 people in attendance. He was invited to a tour from NRCS at the Haskins Lab. He noted that there was new disease in the bay called "SSO" similar to MSX and he thinks that they have had some losses from that.

Lisa Specca reported that that both the Atlantic and Ocean County Board meetings had been rescheduled and that Camden was meeting next week to reorganize. She reported that their family had been down with Covid. She reported that they had a much needed four-inch rain that helped tremendously. She reported that the direct marketing industry is having a strong fall season with good quality, noting that those with irrigation had extremely high quality and the customers are very pleased. Unfortunately, they had a frost the previous night and they were up irrigating to try to keep from being damaged. She reported that the issue with the eWIC (electronic WIC check) machine continues to be a complete debacle and agreed that a meeting is absolutely necessary.

Secretary Fisher commented that those concerns would be relayed.

Kurt Alstede added his comments on the eWIC system and echoed the comments of the previous Board members that the state electronic system doesn't work! He noted that he was part of the pilot program and that they have given up on it. He stated that they should look to see what the total amount of money that's been dispersed electronically versus the redemption by the farmer. He asked about the status of the SOE (Special Occasion Events) legislation. Rob Vivian reported that it had just passed the Senate and awaits Assembly action. He commented that it was good to know that FSA was working on the drought issue. He noted that there still a lot of industry concern about the cost of input and labor. He reported that the stormwater regs has been a point of contention. He announced that he would be hosting Congressman Malinowski, at his farm, seeking farmer input for the Farm Bill and other items that the federal government oversees. He asked about the status of Assembly Bill 4702 and Senate Bill 3130; the bills create alternate voting members on county ag development boards. Rob Vivian reported that A4702 was introduced in the Assembly Agriculture & Food Security and S3130 was introduced in the Senate Economic Growth Committee both on October 3.

ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted unanimously to send letters of endorsement for A4702 and S3130.

Vice President Beier reported that due to the drought conditions in the south that crop farmers bringing in their corn are experiencing 18-21 bushels per acre when they are usually close to 100 and are being hit very hard. He reported that the extreme heat over the summer caused a great deal of stress to livestock and was sure that there would be losses from that as well, many of the older animals suffered more. Finally, he reported that there should be more coordination between the state veterinarian and the Health Department when it comes to rabies. The current situation is not good at all and hopes that it can be made better, especially with the new One Health system.

President DeFrance commented that the drought like conditions over the summer have left the nursery industry with grave concerns. He has reached out to growers in the south to get some input on just what problems they are facing so that they can start to identify possible solutions. He noted that Hunterdon County CBA had the opportunity to visit the Voorhees Campus of the Hunterdon County for Ag Education and got to hear from some of the FFA students and that it was a very positive event in the midst of all that is going on in the agricultural industry! He reported that the Personnel Committee would be meeting the following week.

### **OLD BUSINESS**

Board member Kurt Alstede thanked Chris LaRegina for sending the most recent copy of the Board's By-Laws, and asked about the Board's ability to reorganize when the new members have not yet been sworn in. He felt that there was a need to have a set schedule of events for reorganization when new members have not yet been sworn in. There was a lengthy discussion regarding the requirements for reorganization. President DeFrance asked that a Committee for the By-Laws (including all of the four Junior members (Kurt Alstede, Lisa Specca, Barney Hollinger and Holly Sytsema) and they can take a closer look at the By-Laws to put the language we need to direct. Board member Kurt Alstede stated that maybe this should be an opportunity going forward and should the full Board have a full discussion on this issue. He made a motion that commented that there have been and will continue to be times

when nominations are not approved and should always reorganize in July. Board member Holly Sytsema commented that the Nominations Committee had voted in Committee to reorganize once the new members were sworn-in, there was no change in that decision. She stated that Kurt thinks it should be a Board decision. He noted that he has always felt that it is a Board decision and he hoped that it would be resolved.

ON the MOTION of Kurt Alstede, seconded by Debbie Norz, the Board voted unanimously that the President appoint a By-Laws Committee to review the current By-Laws and present recommendations for changes regarding the reorganization meeting and election of officers.

Board member Kurt Alstede asked about the Board having an Executive Session each month to have discussions regarding Departmental personnel, decisions, succession planning, etc. Legal Specialist Chris LaRegina commented that there are very specific reasons that the Board can go into Executive Session and general discussions would not qualify. This discussion was moved to the Personnel Committee meeting the following week and asked that Legal Specialist Chris LaRegina to attend to further clarify some of the questions that he had.

During the meeting the Board learned that Bob Blew had received his senatorial curtesy from Senator Durr which means that both Bob Blew and Dave DeFrage have received their senatorial curtesy and needed Senate Judiciary approval, followed by the approval of the full Senate.

The prior letter requesting the approval was rescinded and instead will send a letter to the Senate Judiciary Committee to request approval.

Susan Payne, Executive Director, State Agricultural Development Committee, reported that the Soil Protection Standards would not be on the SADC Agenda the following week as they have met with the subcommittee, and they would like the opportunity to discuss some additional ideas. The next meeting will not be until December 1. Board member Kurt Alstede asked if their subcommittee would be interested in meeting with our subcommittee again before the rule goes to the register. He felt strongly that this meeting happens.

ON the MOTION of Kurt Alstede, seconded by Debbie Norz, the Board voted unanimously to request the Board's Policy Committee meet the Soil Protection Standards Subcommittee of the SADC prior to the SADC December meeting. The Board wants to contribute to the process, be part of the collaboration and be aligned.

Board member Lisa Specca commented that this policy has been discussed by every aspect of agriculture with everyone wanting their voice to be heard. She commented that this is fingers on the pulse issue, and she appreciates that the Susan was here, and that the Committee has said they want to review some additional ideas and thanked the members of the SADC as well as the members of the SADC staff that have spent countless hours on this issue.

Board member Debbie Norz, seconded by Paul Hlubik, voted to send the letter to the members of the legislature that sponsored the legislation for the Department of Health e-WIC Program to let them know the problems with the Program.

## **NEW BUSINESS**

### **Approval – State Agricultural Convention Committees**

Nancy Wood, Convention Coordinator, provided the Board in their packets the State Agricultural Convention Committees and asked for approval from the Board as well as a liaison between the Board and the Committee.

Resolutions Committee – ON the MOTION of Debbie Norz, seconded by Paul Hlubik, the Board voted unanimously to approve and that the Chair of the Legislative and Policy Committee serve as liaisons.

Nominations Committee – ON the MOTION of Debbie Norz, seconded by Paul Hlubik, the Board voted unanimously to approve and that Holly Sytsema serve as the Board liaison to the Nominations Committee.

Credentials Committee – Board member Barney Hollinger volunteered to be the liaison to the Credentials Committee.

## **REPORT OF NJ FARM BUREAU**

Ashley Kerr represented the Farm Bureau and reported on the following topics:

- SOE: Governor CV issued on 9.22.22, the Senate concurred on Thursday, 9.29.22 CV addresses concerns regarding exception areas. Anxiously awaiting Assembly action.
- SPS: will the SADC be voting to send their proposal to the NJ Register at their October meeting?
- Wildlife: deer and bear continue to be a serious problem to our farmers and their viability. Looking forward to supporting Rutgers in their drone count of bear and damage survey that will accompany it (as was done for deer).
- Package of aquaculture bills: RTF – hoping for passage in the Assembly of the amended bill to match the current NJDA proposal; Jersey Fresh – producers seek language that was introduced to allow aquaculture to market as “Jersey Fresh” instead of “Jersey Seafood” (with appropriation); Sunday Harvest – differences amongst producers require further discussion.
- Honey/Cottage Food Law: Passed the Assembly in May and Senate on 10.17.2022. Now sitting on the Governor’s desk.
- Ag Viability: Senator Cruz Perez suggested that there be a late November committee hearing dedicated to the topic of ag viability after we raised it to her in a recent Zoom meeting.
- Hopeful for resolution with pig crates bill now that Senator Smith is asking to move the bill.
- NJFB Convention will be at the Westin in Princeton on November 14–15. Resolutions Committee met
- 10.11.2022. Banquet will feature appearance by American Farm Bureau president Zippy Duvall, who will recognize Ryck Suydam for his ten years of service as NJFB president.

## **REPORT OF FARM SERVICE AGENCY (FSA)**

Sarah Fenwick reported the following to the Board:

### Dairy Margin Coverage

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>

### 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](mailto:Alyson.Dyson@usda.gov), with any questions.

### Organic Programs OCCSP & OTECP:

Agricultural producers and handlers who are certified organic, along with producers and handlers who are transitioning to organic production, can now apply for the U.S. Department of Agriculture's (USDA) Organic and Transitional Education Certification Program (OTECP) and Organic Certification Cost Share Program (OCCSP), which help producers and handlers cover the cost of organic certification, along with other related expenses.

OTECP covers:

- Certification costs for organic producers and handlers (25% up to \$250 per category: crops, wild crops, livestock, processing/handling).
- Eligible expenses for transitional producers, including fees for pre-certification inspections and development of an organic system plan (75% up to \$750).
- Registration fees for educational events (75% up to \$200).
- Soil testing (75% up to \$100).
- Meanwhile, OCCSP covers 50% or up to \$500 per category of certification costs i

### 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.

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.

USDA is currently working on how best to implement this law quickly. More information, please visit <https://www.farmers.gov/inflation-reduction-investments>.

#### Loan Interest Rates

- Farm Ownership- 4.125%
- Operating- 3.875%
- Emergency- 3.750%

#### REPORT OF NATIONAL AGRICULTURAL STATISTICS SERVICE (NASS)

Bruce Eklund reported the following:

- Soybeans were at 30 bushels per acre, down from 47 last year.
- November 22 - the Census for Agriculture will be available online - he encouraged all to complete at their earliest convenience.

ON the MOTION of Kurt Alstede, seconded by Paul Hlubik, the Board voted unanimously to give Barney Hollinger the authority to speak on behalf of the Board regarding the recent action on the proposed aquaculture legislation.

#### PUBLIC COMMENT

None.

#### MEETINGS

The next regular meeting of the State Board of Agriculture will be held on Wednesday, November 16, 2022, beginning at 12:30 pm at Riverview Plaza.

#### ADJOURNMENT



ON the MOTION of Paul Hlubik, seconded by Barney Hollinger, the Board voted unanimously to adjourn the regular meeting at 4:05 pm.

Respectfully submitted,

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

Douglas H. Fisher