



Maryland Department of Agriculture

Office of the Secretary

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Joseph Bartenfelder, Secretary
Julianne A. Oberg, Deputy Secretary

The Wayne A. Cawley, Jr. Building
50 Harry S. Truman Parkway
Annapolis, Maryland 21401
www.mda.maryland.gov

Agriculture | Maryland's Leading Industry

410.841.5880 Baltimore/Washington
410.841.5914 Fax
800.492.5590 Toll Free

Governor's Intergovernmental Commission for Agriculture Minutes June 4, 2019

Present:

John Sullivan, MDE
Debbie
Ewing McDowell, Commerce
Kirk Engle, MDH
Colby Ferguson, Maryland Farm Bureau
Leslie Hart, Washington County Agricultural Business Development
Kurt Fuchs, MidAtlantic Farm Credit
Cheryl DeBerry, Garrett County Economic Development
Katherine Danko, Perdue Farms
Thomas Skilton
Laura Price, MACo
Steve McHenry, MARBIDCO
Jim McCarron, MML
George Mayo, MD Agricultural Education Foundation
Kelly Dudeck, Grow & Fortify

MDA Staff:

Joe Bartenfelder, Secretary
Julie Oberg, Deputy Secretary
Kevin Conroy, Assistant Secretary
Cassie Shirk, Director of Legislation and Governmental Affairs

Speakers/Guests:

Dale Hawks, Maryland/Delaware State Statistician, National Agricultural Statistics Service

Meeting was called to order at 9:37am. Secretary Bartenfelder welcomed group and thanked everyone for attending the meeting and their continued support and commitment to the agriculture industry.

Dale Hawks gave a presentation to on the 2017 Census of Agriculture. The presentation was focused on Maryland specific data. A copy of the presentation will be sent to the commission members for their convenience.

Deputy Secretary Julie Oberg reviewed the executive order that established GICA and commission accomplishments to date.

- The Governor's Intergovernmental Commission for Agriculture (GICA) was established by Executive Order by Governor Ehrlich in 2006 to “promote the economic profitability of agriculture in the State by ensuring that all appropriate State agencies work in a cooperative, coordinated manner with local government and industry groups in planning, implementing, overseeing and evaluating intergovernmental initiatives related to agricultural affairs of the State.”
- Some of examples of GICA’s accomplishments include:
 - Completed a “toolkit” for local communities and farmers, entitled, “Understanding and Responding to the Changing Needs of Agriculture.”
 - Developed a list of issues and recommendations for agritourism operations.
 - Commissioned a survey for farmers related to county zoning and health regulations.
 - Initiated outreach to county planners and health officers.
 - Reviewed issues such as storm water management, leasing, water resources, wildlife management, health and zoning regulations.
 - Requested state agencies establish “ombudsmen” to be the initial point of contact for farmers with questions concerning agricultural matters.
 - Assisted wineries and other farmers that produce value-added products with navigating through state and local environmental, health and zoning regulations.
 - Established definition of “Agritourism” in 2018, which was something GICA had been working on since 2014. (defined in the Land Use Article)
 - “Agritourism” as an activity conducted on a farm that is offered to a member of the general public or to invited guests for the purpose of education, recreation, or active involvement in the farm operation, including farm tours, hayrides, corn mazes, seasonal petting farms, farm museums, guest farms, pumpkin patches, “pick your own” or “cut your own” produce, classes related to agricultural products or skills, and picnic and party facilities offered in conjunction with any agritourism activity.

Currently, 17 counties exempt an agricultural building used for agritourism from adhering to the Maryland Building Performance Standards.

Next, Deputy Secretary Oberg provided a brief history on an agricultural ombudsmen at each state agency.

- HB 239 of 2006 required the Secretary of the Department of Health and Mental Hygiene to designate an agricultural ombudsman to:
 - serve as the primary point of contact for individuals involved in agriculture who interact with the department; and
 - provide information regarding departmental regulations relating to on-farm food processing, on-farm food preparation and other on-farm activities
- In 2007, GICA expressed a strong interest in identifying agricultural ombudsmen at all of the major state agencies.

The current list of state agency ombudsmen has not been updated so MDA will work to identify who the ombudsman at each agency is and then publish that list on GICA’s webpage.

Kirk Engle from the Maryland Department of Health mentioned that he is the ombudsman for the agency.

There was a conversation amongst the group to identify local county ombudsmen to which Colby

Ferguson mentioned that several counties have AMPS (Agriculture Marketing Program Specialists). However, not every county has one. Ferguson suggested MACo target counties that do not have an AMP and work to designate one.

Steve McHenry said he could help to provide a list of all current AMPS.

Next the group discussed some of the obstacles and challenges at the local level including the guidance from local health and planning departments. There have been issues with delays and road blocks in the permitting process from local health departments, communication from local department to department, where folks who are interested in a value added operation need to start, etc.

The group decided it would be a good idea to host training workshops in each region of the state and to bring together local health, planning, economic development and environment health departments, fire marshals, AMPS, and other appropriate agencies/groups/people to identify issues GICA members are hearing and how to organization and streamline the process. Colby Ferguson mentioned that it would be helpful at these workshops to create models processes for those interested in starting farm breweries/winery operations, “you-pick” operations, etc.

Kelly Dudeck suggested that GICA should explore defining “craft beverage” for counties to adopt, similar to the “agritourism” definition that has been adopted by several counties. Having one common definition would streamline things across the state.

Deputy Secretary Oberg discussed the need to update the GICA Toolkit.

- In late 2006, the Maryland Agricultural Commission developed Maryland’s Statewide Plan for Agricultural Policy and Resource Management.
- This plan outlined some of the issues important to Maryland agriculture and tasked GICA with the implementation of certain aspects of the plan, including the development of a toolkit.
- In May 2011, GICA released “Understanding and Responding to the Changing Needs of Maryland Agriculture – A Toolkit for Local Communities.”
- Section 1 describes top issues facing Maryland agriculture, including global competition and access to markets, regulations and environmental adaptation, loss of farmland, labor challenges, input costs and wildlife damage.
- Section 2 looks at farmer responses to changes, including diversification, and alternative energy production.
- Section 3 incorporates tools for problem solving, including recommending a food processing and distribution system, land use, local zoning and health regulations that take into account emerging agriculture, wildlife policies, and strengthened right to farm policies.

MDA is currently working on working on its strategic plan and much of the information that will be included in the strategic plan can be used for the updates to the toolkit. The strategic plan will be completed at the end of the year and at the point we can start working to update the toolkit.

The final agenda item was member discussion. Ewing McDowell discussed minimum wage, its impact on agriculture workers, and if there needed to be an exemption. He stated we needed additional guidance. Deputy Secretary Oberg mentioned that MDA was waiting for guidance from the Department of Labor, Licensing and Regulations. McDowell also brought up e-commerce and mentioned that the opportunities are great, but certain sites (example: Amazon) don’t understand certain rules/regulations with the agriculture industry (referring to an issue where plants grown in Maryland were being shipped to a state that prohibited them).

Kevin Atticks discussed the need for clarification around H2A workers for wineries. He gave an example of a situation in Carroll County where the sheriff's office pulled over a Mexican H2A worker and took his identification card.

Colby Ferguson asked what the takeaway would be from the regional meetings with the various county government departments. Deputy Secretary Oberg replied that it would be to highlight the issues, possible solutions and next steps.

Meeting adjourned at 11:11am.