



State of New Jersey

## **BOARD OF AGRICULTURE**

### **MINUTES OF MEETING**

**August 28, 2024**

**(Wednesday)**

Public meeting notice was certified by communication on August 22, 2024.

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

President Robert Blew called the New Jersey State Board of Agriculture to order at 1:00 pm. Board members in attendance included President Robert Blew; Vice President Lisa Specca, Kurt Alstede, David DeFrance, John Hart, Stephen V. Lee, IV and Joel Viereck. The meeting was held at 200 Riverview Plaza, Trenton, NJ.

Also in attendance were Agriculture Secretary Ed Wengryn; Assistant Secretary Joe Atchison, Dr. Amar Patil, Director, Division of Animal Health; Nancy Wood, Division of Marketing & Development; Joe Zoltowski, Director, Division of Plant Industry; Frank Minch, Director, Division of Agricultural & Natural Resources; Chuck Roohr, Deputy Director, SADC; Denise Liptak, Division of Food & Nutrition (via Teams); Tameko Webster, Chief of Staff, Christopher LaRegina, Nathan Schatz, Robert Vivian, Jeff Wolfe and Jeff Beach, Office of the Secretary. Also in attendance were Peter Furey, Ashley Kerr, Alfred Murray, NJ Farm Bureau; Bob Andrzejczak, State Executive Director, Farm Service Agency, Julie Hawkins, State Conservationist, NRCS, Bruce Eklund, State Statistician, Jess Niederer, Organic & Regenerative Farming Board, Lori Jenssen, NJ Nursery & Landscape Association, and Linda Walker, NJ Department of Agriculture.

### **MINUTES OF PREVIOUS MEETING**

ON the MOTION of Kurt Alstede, seconded by Joel Viereck, the Board voted to approve the minutes of the July 24, 2024 regular meeting. Stephen Lee, abstained.

## PUBLIC COMMENT

Lori Jensen, New Jersey Nursery and Landscape Association asked if the Board would be providing an update on the invasive species bill. She has been getting a lot of calls, with a lot of questions and hopes that it will be discussed today.

President Blew reported that Dr. Brian Schilling had called him earlier that day to let him know that he was unable to attend the meeting today. The written report that was received from Rutgers University would be entered into the minutes.

## REPORT OF FARM SERVICE AGENCY (FSA)

State Executive Director Bob Andrzejczak, reported to the Board the following:

He noted that there have been a couple of new updates to the ash tree programs that FSA has been working with and noted that the deadline for them was today. He noted that they are continuing to work with other agencies to make sure that we are reaching as many producers that need the assistance and encouraged anyone that would still like to apply to do so as a deadline extension could also be available.

Some Board members commented that there was still some concern regarding the ash tree programs and asked that the deadline be extended 30 days. State Executive Director Andrzejczak commented that they would make the deadline adjustment.

Board member Stephen Lee commended State Executive Director Andrzejczak for his efforts to help the agricultural community with this issue.

### [Emergency Conservation Program \(ECP\) & Emergency Forest Restoration Program \(EFRP\)](#)

The U.S. Department of Agriculture (USDA) Farm Service Agency (FSA) is accepting applications for the [Emergency Conservation Program \(ECP\)](#) and the [Emergency Forest Restoration Program \(EFRP\)](#) from New Jersey agricultural producers and owners of forestland to address damage from recent severe storms that occurred Jan. 1 through June 30, 2024. The statewide signup period for both ECP and EFRP runs July 29 through **Aug. 28, 2024**. ECP provides cost-share reimbursement to producers to restore farmland to pre-disaster conditions. EFRP is a cost-share program that provides financial and technical assistance to owners' forestland to restore forested land damaged by a qualifying natural disaster event. For more information on ECP or EFRP, please contact your [local USDA service center](#) or visit [farmers.gov/recover](#).

### [Food Safety Certification for Specialty Crops Program \(FSCSC\)](#)

FSCSC provides financial assistance for specialty crop operations that incur eligible on-farm food safety program expenses related to obtaining or renewing a food safety certification. This program helps offset costs to comply with regulatory requirements and market-driven food safety certification requirements.

To be eligible for FSCSC, an applicant must:

- Have obtained or renewed a:
  - 2024 food safety certification that was issued between June 26, 2024, and December 31, 2024; or
  - 2025 food safety certification issued during the 2025 calendar year, and

- Have paid eligible expenses. Expenses that have been incurred by the applicant, but have not yet been paid, will not be eligible.
- Be a specialty crop operation; and meet the definition of a small business or a medium-sized business.
  - A small business has an average annual monetary value of specialty crops the applicant sold during the 3-year period preceding the program year of no more than \$500,000.
  - A medium size business has an average annual monetary value of specialty crops the applicant sold during the 3-year period preceding the program year of at least \$500,001 but no more than \$1,000,000.
- Be located in the 50 United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the U.S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

**[Online Disaster Assistance Decision Tool for Livestock, Honeybee and Farm-raised Fish \(including mollusk\) producers](#)**

FSA, in partnership with FarmRaise, launched a new, online Emergency Assistance for Livestock, Honey Bees and Farm-raised Fish Program (ELAP) Decision Tool. The tool is designed to assist agricultural producers who have been impacted by natural disasters access available program support. The Decision Tool is a resource only and is not an application for benefits or a determination of eligibility. <https://www.farmraise.com/usda-fsa>

**Loss Adjusters**

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

**Organic Certification Cost Share Program (OCCSP)**

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

**REPORT OF NJ FARM BUREAU**

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

- Legislature to return in September – October
  - a. Heat Stress amendment – ag to create its own program (still need a meeting)

- b. SADC Appropriation – money needs to be released quickly without extra amendments
  - c. Invasive Species – solution after meeting between NJDA and DEP?
  - d. Horse racing purses – Governor slow to sign bill, recent Spotlight article
  - e. Miscellaneous – Food donation tax credit; Alternate CADB members; Dual appraisal for Highlands
- Lawsuit for farm workers over minimum wage and overtime exemption
  - Farmland Assessment
  - Process for hiring new SADC Director? Appraisal formula progress? Final comments due on revised soil protection standards (SPS).
  - Successful summer tours – Chairman Spearman saw ag labor housing; Senator Booker’s two stops; Salem and Gloucester joint event; aquaculture.

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

Bruce Eklund, State Statistician reported on the following topics:

- Soybeans, cranberries and money. Since he last reported, he noted that there was a soybean forecast for acres up about 5000 acres from last year, but the yields are significantly down approximately 34 bushels an acre as of August 1 which could change as it will be measured a couple of more times. The cranberries, 580,000 barrels which, if realized would be equal to last year’s nice crop. We published the expenditures, which comes from the ARMS survey, that shows Congress and the public not only how much you are making but also how much you are spending.
- ARMS Survey will be released in February, he noted that privacy from that report is strictly protected.

### NATURAL RESOURCES CONSERVATION SERVICE

Julie Hawkins, State Conservationist, reported that she had provided a written report to the Board:

1. The agency’s locally led process and methods of providing input/recommendations to NRCS programs and technical assistance.
  - a. State Technical Committee (see attachment)
  - b. Local Working Groups (see attachment)
2. Technical Service Providers (TSPs).
  - a. TSP technical assistance rates for planning, design, installation, and checkout (see attachment for FY24. Rates for FY25 will be released in October).
  - b. Please note that NRCS–NJ has seen a 25% increase in the number of TSPs in the current 2018 Farm Bill. The break down by category is in the table below. NRCS is scheduled to release a new TSP registry in October as a follow–up and/or concurrently with the new regional certifier process, new MOUs with national organizations for certification (e.g. ASA and SSSA as 3<sup>rd</sup> party certifiers) to streamline and increase availability of certified TSPs, new TSP policy/streamlining, and new marketing and outreach in FY25.

<b>TSP Category</b>	<b>Number of TSPs</b>
Forester	11
CNMP CPA & DIA	5
Engineer	4
Stream Habitat Improvement/Wildlife	3
Organic System Plan	3
Pollinator and wildlife habitat	2
Certified Conservation Planner	3
Energy Audit	1
Specialized in Prescribed Burning	1
Others/Certified in other practices	2

### **ORGANIC & REGENERATIVE FARMING BOARD**

Jess Neiderer, Chairperson reported to the Board the following:

- Noted that the group is continuing to work on establishing the By-Laws of the new Board as well as hoping that the other members of the Board would be named by the Legislature.
- The legislation that created the Board is very grand in scope of what the Board should be addressing so they are creating a needs assessment survey for organic and regenerative farmers. They have been working with the SADC Next Gen staff so there is no overlap. In addition, Rutgers is going to have the survey get through the IRB process so that it is information and data that could be used to apply for grant funding if needed.

### **SECRETARY'S REPORT**

Secretary Ed Wengryn made the following comments:

He noted that the County Fair season this year was really a mixed bag with the weather. Those fairs that had good weather did well, unfortunately several of the fairs had thunderstorms and bad weather. He noted that Somerset County lost two days to bad weather, but that Hunterdon County had excellent weather and could not have asked for a better fair. The last will be Bergen County in September. In addition, he reported that he and Joe Zoltowski, Director of Plant Industry, with the DEP Commissioner and his team regarding the Invasive Species legislation and we are putting together our proposal to bring back to the Legislature based upon the bill that everybody kind of agreed to. Making sure that DEP's role is clear and DOA's role is clear. DEP's team is getting their draft to us and we will be getting our comments to them and hopefully it can be sent back to the Legislature. He noted that he felt that really good progress was made. He also reported that the Aquaculture tour the prior day was a very productive day with a good amount of legislative participation and noted that staff is working on a tour for September 24 which will be focused on Camden County and then one that will highlight cranberries. He introduced new Chief of Staff, Tameko Webster, to the Board members who had not yet had the

opportunity to meet her in person. He reported that she has been working diligently with HR on some of the new positions the Department has and has already been a great resource.

Assistant Secretary Joe Atchison reported that after four long years the Division of Marketing and Development has hired a Marketing Specialist that will be joining the Department on September 9 – we are all very excited. That person will initially be working on Community Farmers Markets, the Made With Program and Value Added. He attended the Boston Food Show last week, there were some good discussions with some of the larger chains in that area. Peach Day on the Boardwalks was a huge hit. They distributed more than 110 boxes of peaches throughout the three locations. He thanked Ashley Kerr of Farm Bureau for her input and helping to coordinate the Aquaculture tour. He reported that the Food Export Conference is scheduled for October that he and Deelip Mhaske will be attending and after that the IFPA Show.

Dr. Amar Patil, Director, Division of Animal Health, reported that the Division has finally hired a lab diagnostician which has been vacant for some time. He noted that there was a case of EEE in Atlantic County earlier this month. He reported that there has been no new APMI at this time. He noted that testing for interstate movement has found no new issues at this time.

Denise Liptak, Food Distribution Manager, Division of Food & Nutrition, was on the call as she was attending a Conference. She reported to the Board that as of August 28 there had been three submissions for the Gleaning Grant but that the deadline was Friday so there was still time for gleaning organizations to apply.

Secretary Wengryn noted that the Division of Food & Nutrition had staff attending a conference in Chicago this week with the Summer EBT Coordinator and other Food Distribution staff. He reported that the Division would be welcoming two new Food Corps members this week and they will be interning for the 2024–25 school year, developing resources and visiting school districts throughout New Jersey.

Board member Stephen Lee asked if a seafood organization could apply for a Gleaning Grant. Ms. Liptak noted that they had received an application from a seafood organization but noted that Gleaning Grant is specifically written for gleaning fresh produce from New Jersey farms. There was a discussion regarding the grants and how we need to treat all grants the same. It was decided that they would set up a committee meeting to review the questions that were asked regarding the Gleaning Grants as well as the LFPA Grants and that the Office of the Food Security Advocate would be included in the discussions as well.

Joe Zoltowski, Director, Division of Plant Industry, reported to the Board that twenty–six growers enrolled in the 2024 Canadian blueberry fruit program, of which 10 shipped a total 102,855 containers to Canada in July. One grower expects to continue shipping into August, all others began returning their unused movement certification labels during their final July inspection. One of New Jersey's pepper producers began shipping their pepper fruit to Texas under a compliance agreement with NJDA to assure freedom from European corn borer (ECB); *Ostrinia nubilalis* in July. During the month, four shipments of peppers, including a total 3,345 cases, were certified to ship to Texas through this program.

He noted that survey work at potato farms will begin in August. Potato surveys does not involve insect trapping but instead consists of soil sampling and tissue sampling to detect nematodes. The following nematodes are being targeted in the potato survey: potato cyst nematode, the Golden nematode, potato rot nematode and the Columbia root knot nematode. In addition, the Squash Bug program is a cooperative study with a USDA researcher on doing augmentative releases of an egg parasitoid wasp *Hadronotus pennsylvanicus* in organic New Jersey summer squash fields to help control *Anasa tristis* (squash bug). Staff have conducted 10 surveys at four organic farms, in Burlington and Monmouth Counties. Finally, a total of 282 egg masses were collected during these surveys, which will be reared out PABIL in hopes of recovering *H. pennsylvanicus* from them. Staff also deployed two releases of *Anasa tristis* eggs, totaling approximately 1,603 eggs, which were already parasitized by *H. pennsylvanicus* at two farms in Burlington County.

Frank Minch, Director, Division of Agricultural & Natural Resources, reported that wildlife fencing program is still open and available. He reported on the DEP regulations that was mentioned earlier in the meeting, the 1600–page rule has been published in the NJ Register, the Stormwater, Flood Hazard, etc. all put together. He noted that there are certain parts that they have been digging into. He has mentioned in the past about the elevation changes and how you look at what your flood hazard boundaries are and stormwater elevation values. He reported that the Farmland Evaluation Committee met about two weeks ago and discussed some of the changes that were discussed and made minor modifications based on the results of the census data. Finally, he noted that staff continue to conduct research on PFAS and agriculture, with a focus on specific crops and seafood. As an emergent topic, staff want to stay informed on the subject and be ready should items arise that need to be addressed.

Chuck Roohr, Deputy Director, SADC, provided the Board members with a copy of the SADC Newsletter that is sent to all preserved farm owners. He reported that the SADC at their July meeting approved their SOE Report to the Legislature and will be added to the website as soon as it has been approved by the Governor's Office. He noted that they have visited nearly every county in the State to review and discuss the Formula Value, their internal committee met earlier today and feels that we have made some good progress, he noted that we have some good directions from our committee and noted that the goal is a final report in late September/early October.

Board member Stephen Lee asked about the status of the Search Committee for the new Executive Director of the SADC. Secretary Wengryn reported that the job announcement would be going out this week. In addition, with the Legislature back in session in September, hopefully some of our appointments can get through.

Board member Dave DeFrance asked about the Ag Viability Committee meeting with the SADC Next Gen staff to have some open discussions on what is down the road. President Blew commented that he had spoken with Dave Kimmel of the SADC staff regarding that very idea.

Secretary Wengryn reported to the Board that he would be away on vacation for the next two weeks and Assistant Secretary Joe Atchison will be in charge. In addition, he reported that at the end of September he would be travelling to Indianapolis for the National Association of State Departments of Agriculture (NASDA).

## BOARD MEMBER COMMENTS

John Hart reported that Mercer County has been very dry, it has been at least two weeks since they had any rain. He reported that he learned today that his town wants to redesignate his farm as a brewery factory. So that will have to be investigated. He grows everything on the farm that will be used by the brewery. The counties that he represents have not met during the summer.

David DeFrance reported that with the fair season concluding, everyone is starting to get ready for the fall season. He noted that when the legislature is back in session there are several concerns such as the SADC appropriations bill, minimum wage and invasives. He reported that weather is also a great concern, very dry. He reported that with all the Ag Viability research that he has done, and many other organizations are also doing, it is something that needs to be addressed as it is a very important going forward that we have some resource. We all need to come together to get everyone on the same page. Mercer County Community College wants to have a program for this.

John Hart commented that many of his workers are from High School, and they would welcome an agriculture track at the Community College and that one should be available.

Kurt Alstede reported that there have been several topics of concern in the North, including the ash tree issue, which was addressed earlier today in the meeting, SPS, economic stress; loan challenges; compliance rules, WIC program; dual appraisal, etc. He reported that everyone is hoping for a strong fall season.

Holly Sytsema reported that none of her counties had met over the summer. She reported that the Sussex Fair also had bad weather. She thanked Secretary Wengryn for making the trip to Sussex County for the fair and a tour. She reiterated the concern for commodity prices being so low. She did note that they have had a few pop-up showers but not enough.

Joel Viereck did not have any County Board meetings; was able to attend a few of the recent tours including in Salem County to Eastern Propak and was able to attend the Aquaculture tour yesterday and he felt like the general consensus seemed like the legislators really want to help. He also noted that minimum wage continues to be a concern for all. He noted that wholesale looks pretty good, but the commodity prices are low. He noted that they had some rain but not enough. Finally, he reported that he was resigning his position of President of the Vegetable Growers so that there will be no conflict-of-interest concerns. He noted that Jim Abma, will serve as the President of the Vegetable Growers going forward.

Stephen Lee commented that the Vegetable Growers loss was definitely the Board's gain. He reported that on September 19 there will be a Legislative Breakfast Meeting at Johnsons Corner Farm in Medford beginning at 7:30 am sponsored by the Burlington County Board of Ag. He noted that the Department of Labor has been visiting Burlington farms. He thanked Secretary Wengryn for attending the Rutgers Research Facility last week when we hosted the American Cranberry Growers Association Field Day. He noted that it was the first time that we have ever had a Secretary of Agriculture attend and participate in the entire day. Finally, he reported that there had been a relatively large forest fire in Burlington County around the 4<sup>th</sup> of July with about 10,000 acres burned and had to set a backfire right along our forestry

project so it got really close to home. He noted that the forest service is struggling when it comes to funding and manpower and as part of DEP, they should be commended for their time and service.

Vice President Specca noted that none of her County Boards had met this month, in addition, she reported that vegetable industry, direct market, retail production is down significantly, getting lower yields, there are some disease issues, and they are hoping that fall will be very productive.

President Blew reported that they too have experienced the hit and miss rains, he noted that a farm 10 miles away got 2 ½ inches of rain and they did not get a drop. He noted that he saw a couple of unirrigated corn crops plowed under this week because the price was lower then when he graduated college more than 20 years ago.

### Budget Committee

Committee Chair Kurt Alstede reported that the Committee had a short meeting prior to today's meeting with Secretary Wengryn and Chief of Staff to establish some priorities for the FY 2026; he noted that one of the most important priorities is seeking to restore higher levels of funding for Jersey Fresh from places other than the SCBG and exploring other opportunities. Secretary Wengryn noted that a few ideas had been discussed as they would like to have Jersey Fresh funded through a dedicated funding source. He noted that the Committees have been working with Jeff Beach and with the interns and the Chief of Staff, we need to know what the Department priorities are, but we can't fund them all. He also noted that the message from the Governor's Office is that next year's budget will be difficult so don't look to be spending money that you don't have.

Board member Stephen Lee commented that we need to utilize all our resources and work together to coordinate and facilitate the tours in conjunction with legislation that we are trying to move. He suggested a template for tours to allow for conversation and discussion. Secretary Wengryn reported that Rob Vivian has been working with the Office of Legislative Services to get the invitations out to the right Committees and Legislators and legislative aids. In addition to others that are important for the tour being conducted.

### OLD BUSINESS

President Blew commented that he and Vice President Specca had spent a great deal of time discussing the Resolution Process, the delegates take a lot of time going through every signal resolution at the Convention and then even after the Convention is done, they prioritize them into the top 10. They would like to start with the top three from last year which were #1 Ag Viability; #2 SPS; #3 Right to Farm. Each of the Committees assigned to the top three should meet and review and discuss, have we addressed the resolution; have we not addressed and what can be done moving forward and report back next month.

Board member Kurt Alstede asked if the Board would be adopting a statement regarding SPS prior to the publication in the NJ Register.

ON the MOTION of Kurt Alstede, he read a brief statement that he had prepared on SPS. The MOTION was tabled until a staff member printed copies for the Board to have an opportunity to look at the statement prior to any action.

Board member Kurt Alstede reported that the WIC Program continues to have some issues with a longer process to check out. There have been concerns about what the remaining balance is on their card. There was some discussion regarding this, and Department staff noted that they would pass along the feedback to the WIC Program staff.

Statement on SPS

There was an extensive discussion on the motion and wordsmithing of the letter.

President Blew called for a roll call vote to send the comment to the SADC: Joel Viereck – Yes; John Hart – Yes; Stephen Lee – No; David DeFrango – No; Kurt Alstede – Yes; Holly Sytsema – No; Lisa Specca – No; Robert Blew – No. No. 4 votes for No; 3 votes for Yes. Motion fails.

The MOTION to send a comment on SPS failed.

### **NEW BUSINESS**

Final Approval of Proposed Rulemaking– Readoption of N.J.A.C. 2:36 (Child Nutrition Programs) with Amendments

ON THE MOTION of Stephen Lee, seconded by Joel Viereck the Board voted unanimously to approve the rule as presented pursuant to the Administrative Procedures Act.

Approval of Charity Racing Day Grants

ON THE MOTION of Holly Sytsema, seconded by Lisa Specca, the Board voted unanimously to approve the grants as presented.

### **RESOLUTION FOR EXECUTIVE SESSION**

The Board adopts the following resolution:

Pursuant to N.J.S.A. 10:4-12(b)(7), the Board will also discuss a matter involving pending or anticipated litigation or contract negotiation other than in subsection b.(4) herein in which the public body is, or may become, a party, or matters falling within the attorney-client privilege. The Board will not disclose the contents of this part of the discussion because it falls under attorney-client privilege.

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

**PUBLIC COMMENT**

None

**MEETINGS**

The next regular meeting of the State Board of Agriculture will be held on Wednesday, September 25, 2024 beginning at 1:00 pm at 200 Riverview Plaza, Trenton.

**ADJOURNMENT**

ON the MOTION of Holly Sytsema, seconded by Stephen Lee, the Board voted unanimously to adjourn the regular meeting at 4:17 pm.

Respectfully submitted,



Edward D. Wengryn