

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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JOHN LEBEAUX
Commissioner

MEETING MINUTES **MASSACHUSETTS BOARD OF AGRICULTURE**

Tuesday, December 20, 2022

10:00 AM Hybrid Meeting (in-person & via MS Teams)

Physical Location: 225 Turnpike Road, Southborough, MA 01772

Attendance:

In-person: Tina Bemis, David Sheppard, Lisa Colby, Skip Vadnais, Peter Mezitt

Remote: Dawn Gates-Allen, Al Rose, Elizabeth Keen

Absent: Meghan Russell, Crystal Card, Pat Spence

Staff: In-person: Comm. Lebeaux, Ashley Randle, Alisha Bouchard, Rebecca Davidson. Remote: Michael Botelho, Margaret Callanan, Gerard Kennedy, Taryn LaScola, Michael Cahill

1. **Start/Call to Order:** At 10:03am Chair Vadnais called the meeting to order and noted that the board has a quorum. The meeting is a hybrid meeting with board members participating both in-person and remotely. All votes must be taken via roll call vote. After introductions the board moved to new business.
2. **11/9/22 Meeting Minutes:** Dawn Allen-Gates moved to accept the meeting minutes of November 9th, 2022. The motion was seconded by Tina Bemis. The minutes were approved by the board via roll call vote with one abstention from Chair Vadnais who was not present at the last meeting.

New Business:

3. **Department Updates:** At this time, Chair Vadnais turned the meeting over to Commissioner Lebeaux for department updates. The Commissioner introduced MDAR's Division Directors participating remotely for an overview of their division's staffing, services, and programs.

Division Director Gerard Kennedy from the Division of Agricultural Conservation and Technical Assistance (DACTA) kicked off the presentation with an overview of the Division and provided slides previewing many of the Division's programs including farmland protection and the APR program, stewardship on APRs, state land licensing, the Farm Viability Enhancement Program, ag business planning courses and technical assistance, farm energy programming, and many of MDAR's grant programs. Continuing, Gerard went into further detail about the APR program and the purpose and process by which farmland preservation works. Since 1980, nine hundred and sixty-eight (968) farms with 73,000 acres have been protected. In looking to protect farmland through 2050 and align with the state's climate protection goals, the department along with stakeholders went through a year-long process to develop the Farmland Action Plan. The official release of the plan is pending approval of the administration.

Next, Commissioner Lebeaux asked Michael Cahill, Director of the Animal Health to present. Michael presented slides to the Board and talked about the Division including his 21 staff and some of the roles they fulfill. Mr. Cahill provided an overview on the types of matters related to disease in the domestic animal populations from cats to cattle that the Division responds to. The division watches for High Path Avian Flu (HPAI) in poultry, parvo in cats and dogs and other emerging diseases. He also explained the Division's responsibility for licensing permitting and registering a number of businesses and activities.

The Division regulates goat and cattle dairy farms including raw and pasteurized milk for approx. 115 farms. Equine programming, licensing and inspection of riding schools and stables, poultry testing for avian flu and salmonella, pet shop licensing and inspection are all part of the Division's portfolio. Disease control or eradication programs include rabies, scrapie, swine operation permitting for feeding cooked food scraps, reportable disease case investigations biosecurity awareness/foreign animal disease prevention, and vaccination programs for livestock and companion animals are also part of the Divisions responsibilities. Closing out his presentation Michael explained MDAR's role with pet shops, animal shelters and rescue operations and how animals come into Massachusetts from other states and countries from around the world. Mr. Cahill's presentation concluded with the highly successful Massachusetts Animal Fund.

Commissioner Lebeaux then asked Taryn LaScola-Minor, Director of the Division of Crop and Pest Service to provide her presentation to the Board. Taryn talked about the Division's regulatory oversight, the staffing, and the number of programs within the Division. Programs include pesticide enforcement, pesticide licensing and exams which are now available online. The pesticide program also now has several legislatively mandated public bodies such as the Pesticide Board, the Pesticide Board Subcommittee, advisory councils to the Pesticide Board, and the Conservation Advisory Board. Taryn explained how these public bodies may or may not overlap with the Pesticide Board. Ms. LaScola-Minor then briefed the Board on the Hemp Program, the number of licensees including growers and processors and explained that every year there are changes at the federal level that impacts the state program.

Also, within the Crop and Pest Division is the Plant Industries program responsible for registering and licensing fertilizers and feed regulation, nursery agents and growers sampling to ensure alignment with federal standards. Trace forwards and tracebacks from other states or the USDA for invasive plants or pests of concern is also part of the Division's responsibilities. The Division's has a couple staff designated just for invasive pests such as the Spotted Lantern Fly (SLF). Those staff are responsible for monitoring, planning and response for emerging pests. The Apiary Program, which includes more hobbyist (approximately 6,500) and a few commercial producers, performs a lot of inspections and health checks of hives, disease response with the beekeepers and conducts education and outreach. Also, within the Division is the mosquito control program that reports to the State Reclamation and Mosquito Control Board (SRB). The SRB is a sub-agency within MDAR that oversees ten (10) regional Mosquito Control Districts and Programs and is responsible for aerial spray operations in conjunction with MDAR when there is a heightened public health hazard from mosquito borne illness.

Next Commissioner Lebeaux introduced Michael Botelho, Director of the Produce Safety and Market Access Program. Michael explained to the Board how funding through the FDA allowed for the deployment of produce safety inspections and the program attends monthly meetings with public health about food borne illness outbreaks. The program coordinates with the FDA on emergency response when there is a food safety outbreak in the produce space. The program interacts with local boards of health and the state Department of Public health (DPH) Food Protection Program. There is a lot of regulatory overlap with farmers markets, composting and water quality in the program. The program takes the "educate before you regulate" approach and now all states are taking a similar position. Massachusetts is ahead of the curb by about nine (9) years, and we provide mentorship to other states in this space. Mr. Botelho and his team serve on national committees and groups such as produce standards.

The Produce Safety Inspection program's Food Safety Modernization Act is not fully deployed and waiting on the water rule. Currently, the program has 6 staff with one on contract. Michael concluded his remarks by noting the produce safety rule covers both domestic and international produce. MDAR's Food Safety Improvement program grants help farms get into compliance before documenting findings. Staff conduct inspections, audits, and provides on-farm technical assistance to ensure no compliance issues for farms.

Discussion: Board members had a couple questions for Michael about the Produce Safety Program and market access before there was a brief discuss about PFAS and what the department's thoughts are on that. Mr. Botelho explained MDAR is thinking a lot about PFAS but waiting on federal partners to provide some guidance. The Commissioner mentioned the PFAS Task Force legislatively created that John served on however, it was not focused on agriculture and instead much of the work was centered around firefighting foam and the impacts to municipalities. Commissioner Lebeaux went on to mention, MDAR is working closely with and speaking with the state Department of Agriculture in Maine and explained that through legislative action Maine has been given some authority like buying back contaminated land. PFAS is a big issue not impacting just agriculture. MDAR works closely with DEP is who the lead agency on PFAS. As this is a national, if not global issue, we look to the federal government / EPA to guide the states. On the issue of biosolids being spread over ag land, the federal government has said they won't touch it until 2024. This doesn't mean Massachusetts won't touch it, but EPA has more resources and transition to the new administration is putting a pause on this. The DEP commissioner leaving, pending a new appointment by Governor elect Healey. So much more to be learned, there are hundreds if not thousands of compounds some testing protocols not even developed yet.

Commissioner Lebeaux advised that concludes the department's updates for today.

4. **Old Business:** Chair Vadnais asked the Board if there was any old business or local issues the Board would like to bring forward. The Chair noted hearing none.

The Commissioner noted not all members were at the last meeting, as a state agency MDAR doesn't lobby but the ag board is an independent party and if past boards have decided to weigh in on an issue, they would send a letter to the Governor or the EEA Secretary.

The Chair said he anticipates that board members will bring concerns from your industry about the issue and proposed solutions. This provides an opportunity for industry to get a head start on any issues. Board members agreed.

5. **Other Business:** Ms. Colby observed in a recent MDAR Farm and Market Report and in the Commissioner and Ashley's article it was incredible what you've accomplished over the last 8-years, thank you. The Chair agreed and told the Commissioner he has provided some of the most incredible leadership and hopefully John will stay involved in some way. Commissioner Lebeaux thanked the board and acknowledged we have a great team and glad the managers are on to hear your comments.

The Commissioner mentioned there are a couple of pending board member appointments and that the Commissioner's office still doesn't know our futures with the new Administration.

6. **Next Meeting:** TBD, on hold pending new MDAR leadership.
7. **Adjournment:** Chair Vadnais asked for a motion to adjourn. Ms. Bemis made a motion to adjourn. Mr. Mezitt seconded the motion. A roll call vote to adjourn passed unanimously and the meeting adjourned at 11:40am.