

Department of Agricultural Resources
AGRICULTURAL LANDS PRESERVATION COMMITTEE
MINUTES OF MEETING
June 19, 2017
Department of Fishery and Wildlife
Field Headquarters
Westborough, MA

MEMBERS PRESENT:

- John Lebeaux
Department of Agricultural Resources
- Phillip DeMartino, Designee for Chrystal Kornegay
Department of Housing & Community Development
- Robert O'Connor, Designee of Matthew A. Beaton
Executive Office of Energy & Environmental Affairs
- Patricia Vittum
Associate Director of Center for Agriculture, UMass, Amherst
- Laura Abrams
Board of Agriculture
- George Beebe
Public Member
- Warren Shaw, Jr.
Public Member
- Stephen Verrill
Public Member

MEMBERS ABSENT:

- Fred Dabney
Public Member
- Daniel Wright
Natural Resources Conservation Service, Non-Voting Member

ALSO PRESENT:

Gerard Kennedy, Department of Agricultural Resources
Chris Chisholm, Department of Agricultural Resources
Barbara Hopson, Department of Agricultural Resources
Ron Hall, Department of Agricultural Resources
Michele Padula, Department of Agricultural Resources
Michelle Bodian, Department of Agricultural Resources
Taylor Arsenault, Department of Agricultural Resources

GUESTS:

Kathy Orlando – Sheffield Land Trust
John Daniel Howard - Guest
Reporter (E. Higgins?) - Berkshire Eagle

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Chairperson of the Agricultural Lands Preservation Committee ("ALPC"), John Lebeaux and Commissioner of the Massachusetts Department of Agricultural Resources (the "Department"), called the meeting to order at 10:32 A.M. Commissioner Lebeaux and asked the ALPC members and other attendees to introduce themselves

I. APR UPDATE

Chairperson John Lebeaux reported that the Department is still waiting for a fiscal 2018 state budget. Revenues are lower than originally projected so discussions are ongoing at the State House for developing a balance budget. A reasonable plan is anticipated for Department funding, although the situation is still developing and fluent.

Commissioner Lebeaux provided an update on Marijuana legislation and that the Department has provided input with the deliberations for this legislature. There may be the need for additional Department resources to provide regulatory oversight. The Commissioner also reported that a Farmland Advisory Panel was formed. This panel was organized to gather ideas for the Massachusetts Food Policy Council. The panel has 21-23 members that include representatives from the farming and land trust communities, and is planning to schedule quarterly meetings.

In addition, Commissioner Lebeaux spoke on the **APR Report Summary** dated June 19, 2017. Year to date in FY17 the APR program has closed 10 projects, while protecting 400.9 acres of farmland, with an APR value of \$4.587 million, at cost to DAR of approximately \$4.096 million, with Local Contributions of \$243,000 and Landowner Bargain Sales of \$201,711.

There are 9 pending Vote of Interest (Nominated) projects, tallying **890.6** acres. There are 23 pending Final Voted projects totaling 779.07 acres at an APR value of \$9.648 million, a DAR cost of \$7.240 million, a potential local contribution over \$1.327 million and landowner Bargain Sale of roughly \$1.213 million.

Stewardship fund providing to the Department through the Environmental Bond this year is \$339,000. The stewardship funds had provided funding for baseline reports, monitoring reports, and survey for stewardship matters. In addition, \$150,000 grant funds for the Stewardship Assistance and Restoration (SARA) program. The grant funding is intended to address stewardship and restoration issues on farmland resources in order to maximize productive agricultural use of the protected resource. Also, a seasonal stewardship administrative assistance position has provided added capacity to further the EEEA's land information system and stewardship priorities.

The Department's Agricultural Lands Easement application for the 2017 agreement with USDA/NRCS has five projects still advancing with the federal review process. These pending applications have the potential for \$2,536,500 in federal reimbursable funds. The 2017 ALE agreement should be finalized by September 2017.

Chairperson Lebeaux provided an update on the American Farmland Trust Farm Bill timeline. In Washington DC during Summer and Fall of 2017 hearings and listening sessions in the House and Senate Agriculture Committees will be ongoing. In 2018 Expected Farm Bill markups in the Committees followed closely by votes on House and Senate bills are expected. Current Farm Bill expires at the end of September 2018, so new Farm Bill needs to be signed by President by then to avoid lapse in funding or need for extension bill.

II. APPROVAL OF MINUTES

a. March 29, 201

It was moved, seconded and

VOTED: To approve of the minutes, as amended.

III. DISCUSSION TOPICS

a. APR Evaluation Form

APR staff presented a revised APR evaluation form for the ALPC members to consider endorsing. Staff went over the various criteria, thresholds and attributes of the APR Parcel Scoresheet. The evaluation form was designed with the purpose to guide staff in evaluating projects that will score well for both state and federal farmland protection requirements.

ALPC members discussed with staff the evaluation form as it related to forage and organic pasture within Land Use, and the points attributed for Parcel Attributes, and other criteria in the form. There was further discussion for flexibility regarding an annual application review and to allow extraordinary projects to continue to be evaluated by the Department. Understanding with limited funds the APR Parcel Scoresheet is trying to establish standards that will help rank those projects best to achieve federal and state program requirements.

To provide further clarification on the application process, it was moved, seconded and

VOTED: encouraging staff to send a clarification email blast that the Department is accepting APR applications year-round, beyond the June 30th deadline.

Members provided their comments and recommended that the APR staff move ahead with the evaluation form, understanding the scoresheet is fluent and advancing state and federal prerequisites; and if necessary can be revised in the future.

It was moved, seconded and

VOTED: the ALPC approves the APR Parcel Scoresheet as presented

b. Other Discussion

Commissioner John Lebeaux reported to the committee that two requests for hearing before the ALPC had been withdrawn. No hearings were scheduled for today. Ryan Wagner of Weatherlow Farms in Westport has requested a postponement of his hearing to appeal a decision of the Department regarding a retail farm stand, and an appeal of a Special Permit decision has been withdrawn by Tangerini Sweet Meadow Farm in Millis.

Also, the Commissioner reported that Sweet Meadow Farm in Hadley had withdrawn their second court appeal, so the original decision by the court to uphold MDAR's assignment for an APR property in Hadley that had the Option to Purchase at Agricultural Value.

ALPC members discussed the Massachusetts Farm Bureau Federation survey regarding the APR program. It is anticipated that the survey results will be in an upcoming issue of the Farm Bureau's News and Views. Some of the preliminary survey results indicated that 75% of the Farms or individuals sent the survey did not respond, and of the 25% that did respond to the survey, only 30% of these respondents had identified issues with the program

Commissioner Lebeaux and Attorney Michelle Bodian provided a brief updated to the ALPC on the APR Regulations. They indicated that 330 CMR 22.00 the APR Program's Regulations were promulgated on June 2, 2017. Revisions of the regulations began with the Governor's order, and had gone through a public comment period, and additional listening sessions with extended comment period. The APR Regulations reflect the change in the ALPC role for Adjudicatory Hearings.

c. Date for next ALPC Meeting

The next meeting is to be scheduled in September, with a time and location to be determined.

It was moved, seconded and

VOTED: To adjourn the meeting at 11:38 PM.

Respectfully submitted,



Ronald A. Hall,
APR Program Coordinator