

DEPARTMENT OF AGRICULTURE
FARMLAND PRESERVATION ADVISORY BOARD

Minutes of Meeting
March 30, 2015, 10:00am
CT Department of Agriculture
Large Conference Room
165 Capitol Avenue, Hartford

MEMBERS PRESENT: Chairman James Zeoli, John Guskowski, Joe Bonelli, Henry Talmage, Joan Nichols, Robin Chesmer, Lucy Nolan, Jim Krissel, George Hindinger, George Malia, and Ben Freund.

MEMBERS ABSENT: Henry Talmage had to depart halfway into the meeting.

ALSO PRESENT: For the Department –Commissioner Reviczky, Bureau Director-Linda Piotrowicz, Director -Cameron Weimar; Others – Lisa Bassani Working Lands Alliance and Elisabeth Moore, Connecticut Farmland Trust.

I. **CALL TO ORDER:** Chairman Zeoli called the meeting to order at 10:18am.

II. **REVIEW OF December 8, 2014 MINUTES**

John made a motion, then George Malia seconded, to approve the December 8, 2014 meeting minutes. The minutes were unanimously approved by the Board.

III. **BUSINESS:**

1. **Commissioner's update**

A. **Department of Agriculture.** Commissioner Reviczky mentioned the current budget negotiations with the Legislature. Commissioner stated that the Dept. of Agriculture does not have accounting personnel, the department relies on DAS, who provides the budget numbers from CORE-CT. Commissioner explained how the department presented their budget figures to the joint Connecticut House/Senate Finance Sub-Committee.

B. **Governor's Council for Agricultural Development.**

The Council printed out a final report. John inquired whether the report has stakeholders focus on implementation of the recommendations. John asked if the report is now available for distribution. Freund asked who the audience is for the report. The Commissioner stated that it was legislators, members of the administration. The report is to drive discussion and decisions in a meaningful direction. John wants to emphasize the "Who" – drill down the specifics of who specifically needs to be engaged. Zeoli stated it needs to start with your own legislators.

C. **Legislative Update**

The Commissioner described a Cow Share bill currently in the legislature – despite the Department of Agriculture’s recommendations, the department provided testimony against the bill. The Cow Share bill is on the floor. Passed through the Environment Sub-Committee.

Talmage stated that the CIA funds are a key component for farmland preservation – all of us need to carry the torch of support. Commissioner stated that the Legislature wants to maintain Urban Oaks with annual CIA funding, if the CIA funding remains. The idea is to grant Urban Oaks \$25,000 per year through CIA funding.

Terry reiterated Talmage – get the word out, Op-Eds regarding maintaining CIA funding. Terry mentioned we can be most effective talking one-on-one with our Legislators. John asked if it was appropriate if the Advisory Board drafted a letter regarding a restoration of the CIA funding for the farmland preservation program. Zeoli replied that he could draft a letter, and emphasized that the Board support the CIA funding in its entirety – to also include the other partners for affordable housing and historic preservation. **Terry moved, and Freund seconded this action.** Freund mentioned that the Governor should also be included in this letter. Zeoli agreed. Commissioner stated that the entire Connecticut Grown Marketing program comes from CIA funds – it does not come from the General Fund. The department also cannot use bond money for the CT Grown marketing program, and cannot use bond money for staff. John re-supported the motion with Freund’s suggestion. **The Board unanimously approved Chair Zeoli to write and submit a letter of support for continued Community Investment Act funding for the Farmland Preservation Program.**

Malia asked if leasing income from the Regional Market goes back to the General fund. Commissioner replied that it did not, and the leasing income is not enough to keep up with maintenance costs. There is now a \$16,000/month hole in the Regional Market budget because the largest tenant, M & M Produce, filed Bankruptcy in early March 2015. They owe everyone a fair amount of money.

2. State Owned Farmland

A. Southbury Training School.

Commissioner stated that we are still in the process of refining the Memorandum of Agreement that covers the areas that remain with DDS as long as they need to use them – approximately 10 more years. Cam described how the assistant attorney general was helping with the MOA. The Commissioner mentioned the importance of including the existing septic system within this MOA, so that any buildings that the Department improves can be tied into the existing septic system that is within one of the envelopes that will be retained by DDS.

Cam described how partners are helping with the planning of the Southbury Farms Preserve. Kip Kolesinskas, Eero Ruttila, Joe Bonelli, Wayne Woodard and others have provided advice for how to prepare the fields to make them ready for tenant farmers. Cam stated that the department was preparing to use farmland restoration

funds this year, 2015, to prepare the fields for autumn and a request for farm tenant proposals. Robin asked if using the Restoration grant account would affect other applications. Cam replied that it should not, that there was still adequate funding available for other applications – approximately \$3.2 million remains from the \$5 million bond allocation.

Zeoli requested for the next, June 5th meeting aerial photo print outs of the Southbury Farm Preserve, as well as a projector to show images on the wall in the conference room.

Zeoli asked the Commissioner how the department is addressing how other conservation groups might complain about eliminating wildlife habitat. Cam stated that the primary use will be for agriculture, and that it will be an agricultural conservation easement that is granted to the Southbury Land Trust. Lisa asked if the agricultural conservation easement terms will be different than the typical purchase of development rights deeds. Commissioner replied not much different. Cam stated that there needs to be flexibility since the roles are reversed, and the State will be the land owner and land manager, and that there will be several farm tenants within one easement area and under the same terms.

Commissioner stated that many structures need to be demolished. The department gained consent from the State's Historic Preservation Director Dan Forrest to draft a plan for building removal and remediation. There are a couple of structures that they may want us to keep and touch up.

Malia suggested the ability for the tenant farmers to finance their own infrastructure and improvements. Look at this as a commercial agriculture endeavor. The more rights we give to the tenant to provide their own capital, the less the State needs to invest. Make sure you vet the applicants' business plans, to see whether they are commercially viable. Zeoli stated that it depends on what the lease is for. Malia asked what is the Southbury Farms Preserve for? What is the intent/intensity of use? Freund mentioned that the current tenant farmer, Platt, was able to invest in the beginning of his lease, but then DDS changed the dynamic on him. Freund stated that we should have the tenant farmers apply for the restoration grant(s), and not rely on the system of requesting bids from State-authorized vendors to do the work. The farmers themselves could do the restoration work to the specifications of their farm enterprise and needs. Terry agreed with Malia and Freund that we should get the private farmer involved as soon as possible. Terry asked if the 15 year lease can keep being rolled over- within the existing 5 year increment process.

Malia mentioned that Mt. Grace Land Trust in W. Massachusetts is discussing with the MA State APR program for longer term "ground leases" which allow long-term reassurance for the farmer. Terry asked if the Commissioner could collaborate with Farm Credit. Malia suggested also including Bonelli and UConn Extension regarding how to craft lease terms.

Commissioner mentioned that there are conflicting suggestions from WLA and other organizations, in terms of allowing access to beginning farmers. The department could easily lease the land to just one farmer, i.e. only maintain the one lease with Platt. Terry stated the Board was not suggesting this – Terry stated

that it can still be a diverse set of tenants. Chesmer stated that it is difficult to place infrastructure in advance of the farmer and the agriculture use. Terry said that it is right to not allow just one farmer to have the land. Everyone agrees there should be diversity. Freund and Malia said do not box people out. Commissioner stated how many people would we attract with the current condition of the farmland? Malia mentioned that FSA and Farm Credit give low interest rate loans to beginner farmers for infrastructure needs.

Zeoli suggested to have Southbury Land Trust and/or the Town of Southbury apply through the restoration grant to do the initial clearing work. Cam stated that there will be ongoing need for restoration work into the future. Terry mentioned a hybrid approach – a master plan for initial remedial restoration and water sources is a good idea. Chesmer said you need flexibility for all the fields, all the leases. Malia said that irrigation ponds might be necessary along with wells.

Terry concluded by warning about being side-tracked by Southbury Farms Preserve – the farmland preservation unit needs to focus on farmland preservation.

B. Lebanon Agricultural Reserve.

Cam stated that everything the two lease arrangements are working well at Savin Farm. The tenants are paying their rent and are working the farmland with best practices. The Commissioner said there is an opportunity to make cropland available for smaller producer(s) at Savin Farm as well. The department could back out some acreage from an existing lease.

3. Farmland Preservation Program update

A. Director's Update

Cam handed out and described a farmland preservation program summary and budget sheet. The Commissioner stated that no one at DAS Accounting informed us that we had an existing amount of allotted funds in our farmland preservation bond account. There is an approximate \$10,000,000 difference between what we recently asked for (\$7.8 million), and what is currently acknowledged by DAS Accounting – a total of \$17.8 million allotted. Cam stated that Fran Dwyer, of DAS Accounting, informed the department that approximately \$4.6 million of the \$10 million is from USDA federal re-imbursed funds (from December 2006 through 2011).

Cam told the Board that we are now requesting from DAS accounting the actual, updated balance of our bond account with all budget summaries/updates.

Cam mentioned the next PDR closing will occur this week. The Commissioner stated that we will publicize every single PDR closing. Cam mentioned there is a diverse portfolio of projects, where approximately 2/3 of projects are State only, and 1/3 are with partners (CFT and towns). Separately, the NRCS is also involved with many of our projects. Zeoli mentioned that many PDR applicants are also old farms with historical resources, which should be applicable for the CIA funds.

Freund asked what is the bottleneck – what is stopping the 20 – 30 projects that are projected to close by the end of the 2015 calendar year from moving forward? Cam replied it is the NRCS FRPP and ALE program still not accepting many of our projects. Malia saw the MA NRCS appraisal reviews (not CT reviews), and that the NRCS appraisal reviews are not helping with the CT and MA programs. Malia is concerned with a Montana-based NRCS appraiser reviewing our New England appraisals.

Cam stated that we are moving forward with closing projects one by one, with or without NRCS funding. Cam stated that this does not jeopardize federal money, but would require yet another substitution of another PDR project). It takes staff resources and time to make a substitution – it requires NRCS approval and additional paperwork from the PDR applicant.

The Commissioner informed the Board that the CT State Conservationist Lisa Coverdale is leaving Connecticut.

Terry asked why we cannot be a certified entity of the NRCS ACEP program? Cam said it is a long process requiring staff resources and time. The State of Vermont applied and was rejected. Commissioner mentioned how the NRCS-State joint deed is still held up by the Termination clause. Cam mentioned that we are expecting a response from the Attorney General's Office regarding the joint deed terms. The Board is requesting that a CT NRCS representative to come in and present at an upcoming Board meeting. As well as invite a DC NRCS ACEP representative to present to the Board.

Terry and John proposed the formation of a new, ad-hoc FPAB sub-committee that would study and compare other PDR programs to provide advice to the CT farmland preservation program. The sub-committee may include CFT, CT Farm Bureau, and WLA involvement.

Cam mentioned he met with the Massachusetts APR program director last week, in preparation for this week's summit of New England NRCS ACEP and PDR directors in Portsmouth. They compared their respective state programs, and provided advice on how to work with the NRCS ACEP program to move projects forward.

Zeoli asked if Commissioner was alright with receiving this advice. The Commissioner welcomed new suggestions and advice, but wants to ensure an apples to apples comparison. Cam suggested to also study and compare all the different preservation programs' "oranges" (other, complimentary programs). For example, the CT farmland preservation unit also manages stewardship, the farmland restoration grant, and CT Farmlink. The unit also does not have any dedicated stewardship staff or in-house accountants, or in-house attorneys.

John asked Zeoli to form this sub-committee. The sub-committee would present their findings and recommendations to the Commissioner. They do want to interfere with how the preservation unit is working on closing projects. **John made a motion, Hindinger seconded, and Zeoli approved the new ad-hoc FPAB Study Committee. There was a unanimous vote of approval.**

IV. OTHER BUSINESS:

John mentioned that the Community Farms Preservation Program sub-committee will meet to discuss and prepare final recommendations for the Board to review at the next, June FPAB meeting.

Joan Nichols mentioned that she is replacing John Larson as a Board member, and will be representing the CT Agriculture Experiment Station.

Zeoli mentioned that at one of the previous WLA meetings, the February meeting where the Governor spoke with WLA, he brought up the concern of a lack of agriculture education. Zeoli asked the Board if UConn makes any donations to the Blue Ribbon calf sale. Freund said that it might not be a regulatory issue in CT, as it might be in other states, for calf transportation for this program.

V. ADJOURNMENT:

Next meeting June 4, 2015. The meeting was adjourned at 12:18 pm.

Respectfully submitted by Cam Weimar. Date: March 30, 2015.