

MICHIGAN AGRICULTURAL PRESERVATION FUND BOARD

Location:

Microsoft Teams Meeting

Call in: 248-509-0316

Access code: 687 377 332#

Thursday, August 6, 2020

MEETING MINUTES

BOARD MEMBERS PRESENT

Member Carl Bednarski (Chairman)

Member Brian Bourdages

Member Ken DeCock

Member Jonathan Jarosz

Member Peg Kohring

Member Gary McDowell

Member Stephen Shine on behalf of Director Dan Eichinger

STAFF PRESENT

Elizabeth Brost (Michigan Department of Agriculture & Rural Development, MDARD)

Lindsay Woods (MDARD)

PUBLIC GUESTS PRESENT

Rich Harlow

Hilary Hunt (Southwest Michigan Land Conservancy)

Becky Huttenga (Ottawa County program)

Laura Rigan (Grand Traverse program)

CALL TO ORDER

Chairman Bednarski called the meeting to order at 1:00 pm and read the Covid-19 meeting statement. Staff notified attendees the meeting was being recorded.

Member Kohring requested an addition to the agenda in the other/next steps section regarding monitoring status during Covid-19.

APPROVAL OF 02-03-2020 MEETING MINUTES

- **Motion:** Member Kohring motioned to approve the February 03, 2020 meeting minutes.
- **Supported:** by Member Bourdages:
- **Voted:** Yays: 6 Nays: 0
- **Motion carried**

ACTION ITEM: Lindsay Woods will post approved February 03, 2020 meeting minutes on Board's website for public view.

APPRAISAL & TITLE WORK FUNDING

Elizabeth Brost provided the Board with an update on reimbursements for appraisals and title work. The fiscal year 2020 grant agreements will be amended to include language for reimbursements for those requests which have been received. The average request received has been \$3,000. Moving forward, appraisal and title work reimbursement language will be incorporated in all grant agreements prior to signing.

FY 2020 CYCLE GRANTS STATUS

Elizabeth provided the Board with an update on the status of fiscal year 2020 grants. Due to Covid-19, work on the grants was suspended, however, work has started to resume at this time. All grants are expected to close prior to December 31, 2020.

MDARD CONSERVATION EASEMENT PROGRAM PRESENTATION

Elizabeth gave a presentation on the MDARD Conservation Easement Program, specifically donations. All easements are currently being actively farmed and managed, except one orchard in Kent county.

AMERICAN FARMLAND TRUST (AFT) FARMS UNDER THREAT PRESENTATION

Member Bourdages gave a presentation to the board on the recently released Farms Under Threat: State of the States report. The overall outlook for Michigan is good, however, there is room for improvement. After the meeting, Member Bourdages emailed the Executive Summary, Spatial Summary and Policy Summary to Lindsay. These documents have been forwarded to all Board members.

ACTION ITEM: Member Bourdages will email the GIS link to Lindsay and she will forward to any requestors.

RECOMMENDATION FOR POLICY & PROCEDURE UPDATE

Member DeCock expressed his concerns about approving grants for farms which have already been approved for federal dollars. Member Kohring and Chairman Bednarski requested this concern to be revisited at the next meeting. The Board requested Member DeCock put his concerns in writing and discuss the matter further in the next meeting. Laura Rigan from the Grand Traverse program offered to send information on this to staff.

The Policies and Procedures draft that was emailed to the Board prior to the meeting included highlighted changes to typos and more detailed explanations.

Elizabeth presented the proposed changes to the Policies and Procedures which were sent out to the Board prior to the meeting.

Proposed Change 1: Currently, the estimated annual budget to hold an application cycle is set at \$2 million. MDARD staff recommends to the Board to only allow for one property/farm to be submitted per local qualified PDR program. When the level is proposed to increase, the Board can revisit this change before that upcoming application cycle.

Board Members discussed Proposed Change 1.

- **Amendment to Proposed Change 1:** Member Jarosz suggested to programs to submit any number of applications, however, the Board will limit awarded grants to one per program.

- **Voted:** Yays: 6 Nays: 0
- **Amendment carried.**

ACTION ITEM: Member DeCock and Member Bourdages will work with staff on the concern over federal dollar and state dollar grants and will bring to the next meeting.

Proposed Change 2:

At the February 13, 2020 Ag Board meeting, the Board discussed to either set aside \$125,000 per application cycle for “new” program funding or add points within the scoring system to boost a “new” program. After Board and public input via email or phone after the meeting, all feedback favored the set aside approach.

- **Amount:** The Board will need to decide if \$125,000 is the appropriate amount to set aside.
- **Defining a “new” program:** MDARD staff recommends the following definition as a starting point to this discussion: A new program means a program that is recently qualified and is their first time applying for Agricultural Preservation Funds or a qualified program that has less than 3, 5 or ?) conservation easements in their program (no matter if they were funded via landowner donation, local, state or federal funds).
- If the set aside approach is adopted by the Board, MDARD staff recommends the following language to be included under FUNDING in the POLICIES AND PROCEDURES:
The funding set aside for a new program during an application cycle will be selected by the following means:
 1. *All applications will be scored and ranked.*
 2. *Each eligible “new” program will be evaluated by MDARD staff using the minimum criteria set forth by the Board for local government scoring:*
 - *Farmland that has a capacity suited for the production of feed, food and fiber.*
 - *Farmland that would complement and is part of a documented, long term plan for land preservation by the local unit of government in which the farmland is located.*
 - *Farmland that is located within an area that complements other land protection efforts by creating a block of farmland that is subject to an agricultural conservation easement.*
 - *Farmland in which a greater portion of matching funds or a larger percentage of the agricultural conservation easement value is provided by a local unit of government or sources other than the Fund.*
 - *Farmland that will help to enhance other local open space initiatives in the community such as connecting a wildlife habitat corridor or preserving unique habitats and natural features that benefit local conservation efforts.*
 3. *The ability of the program to utilize the awarded funds if additional funds are needed to close on the conservation easement.*

Board Members discussed the Amount section of Proposed Change 2.

- **Motion:** Member Kohring motioned to allow the Fund to set aside up to \$250,000 for “new program” funding.
- **Supported:** by Member Jarosz.
- **Voted:** Yays: 6 Nays: 0
- **Motion carried**

Board Members discussed the “Defining a new program” section of Proposed Change 2.

- **Motion:** Member Kohring motioned to define “new program” as a program with three or less agricultural easements that were completed through the MDARD program and/or the Agricultural Land Easement Program (ALEP) previously named the Farm and Ranch Lands Protection Program (FRPP) through Natural Resources Conservation Service (NRCS).
- **Supported:** by Member Bourdages.
- **Voted:** Yays: 6 Nays: 0
- **Motion carried**

Board Members discussed the “language to be included under FUNDING in the POLICIES AND PROCEDURES” section of Proposed Change 2.

- **Motion:** Member Bourdages motioned to approve the “language to be included under FUNDING in the POLICIES AND PROCEDURES” proposed by staff.
- **Supported:** by Member Kohring.
- **Voted:** Yays: 6 Nays: 0
- **Motion carried**

Proposed Change 3:

The scoring system was changed prior to the last application cycle to encourage blocks of agricultural land be preserved so that existing agricultural support infrastructure remains viable and in the local community. This was calculated by taking the total acres of qualified agricultural land in the local PDR program area and dividing by the total acres of land in the local PDR program, times 100.

Since no program area has 100% agricultural land, there are some “unused” points under the parcel related points. MDARD staff recommends the total maximum points to be reduced to 50 from 100 (most points awarded in the last cycle were 47/100) and create a new policy objective and calculation for the remaining 50 parcel specific points.

The Board will need to decide if this change should be adopted and if so, what area should MDARD staff research and suggest scoring for at the next meeting. MDARD staff recommends the following suggestions for the starting point of this discussion:

- Historically underserved group (as used in NRCS ACEP-ALE scoring), defined as those with limited resources, veterans or the socially disadvantaged).
- Parcels that have a succession plan or similar plan to address farm viability.
- Farms using buffer strips or some water quality component.
- Parcel points for property/farms located in American Farmland Trust’s new Nationally Significant farmland designation which identifies the most productive, versatile, and resilient (PVR) land that is the most sustainable and productive.

Board Members discussed the reduction of parcel related points in Proposed Change 3.

- **Motion:** Member Kohring motioned to cap the scoring at 50 points for blocks of agricultural land.
- **Supported:** by Member Bourdages.

- **Voted:** Yays: 6 Nays: 0
- **Motion carried**

Board Members discussed possible new scoring criteria in Proposed Change 3.

Member Kohring requested staff to research new possible scoring criteria further and provide more information at the next meeting.

Member Jarosz recommended staff to look at multiple models of state level analysis done by AFT, Heart of the Lakes and Ducks Unlimited. Member Bourdages concurred with that recommendation, suggesting the new criteria would be developed by a combination of the three reports.

Elizabeth asked for volunteers to collaborate and discuss possible new criteria topics as staff time is already very limited. Member Bourdages noted he has been in contact with Sarah Mills at MSU recently on similar topics and suggested this as a possible grad student research project.

ACTION ITEM Staff will research new possible scoring criteria in more depth and provide findings at the next meeting.

ACTION ITEM Member Bourdages will contact Elizabeth about possible MSU grad student research project.

- **Motion:** Member Kohring motioned to approve the corrections made by staff to the Policies and Procedures draft, specifically typos and additions for clarification.
- **Supported:** by Member Bourdages.
- **Voted:** Yays: 6 Nays: 0
- **Motion carried**

PUBLIC COMMENT

Chairman Bednarski welcomed the public guests to comment.

Rich Harlow thanked the hard work the staff has done. He offered to ask honor students in the class he is teaching at MSU for help with researching the proposed new criteria.

Becky Huttenga from the Ottawa county program asked if the Board has any requirements about how landowners are solicited for applications to ensure the best properties are selected for applications. Elizabeth noted at the time of qualification one major requirement is the future land use map designating high priority lands and other lands for preservation. If you are promoting and soliciting land in the high priority designated area, that is reasonable. Member Bourdages added if the local ordinance dictates a public process, then that should be followed. Becky can follow-up on this with staff.

OTHER/NEXT STEPS

Member Kohring requested an update from staff on required federal monitoring practices during Covid-19. Monitoring staff were instructed to suspend all monitoring activities until further notice due to Covid-19, except on federal easements. All MDARD staff have been deemed essential. Currently, three employees within the MDARD Environmental Stewardship Division regionally monitor the easements. Federal monitoring continued

with the following guidelines: contact the landowner to schedule a visit, wearing of personal protective equipment including masks, no personal contact with landowner, if personal contact was needed the meeting was outside and six feet apart. After visit, monitoring reports were post mailed to landowner for signature and returned via post mail.

There is currently a push within MDARD to monitor conservation easements using Google maps as a pilot program. Member Kohring, Member Jarosz and Member Bourdages expressed great concern of the push to monitor conservation easements using aerial photography that is not real time imagery. Without real time imagery or satellite, there would not be a quality way to identify violations thereby risking potential legal fees. Member Jarosz stated monitoring conservation easements is paramount and provided the new monitoring practices local land conservancies are using during Covid-19. Member Bourdages added concerns for the integrity of the program and noted Michigan was recently recognized in the national report for regular on-site monitoring. NRCS has been working with AFT for over two years to develop a virtual monitoring program with no resolution. The signed monitoring report is an agreement of the conditions of the property and is an important document in environmental stewardship responsibilities. Member Kohring requested Member Bourdages to supply Elizabeth with the details of the work AFT and NRCS has been doing on this. Member Kohring advised Elizabeth to have a conversation with the team she works with as this is not acceptable.

ACTION ITEMS

- Lindsay will post approved February 03, 2020 meeting minutes on Board's website for public view.
- Member Bourdages will email the GIS link to Lindsay and she will forward to any requestors.
- Member DeCock and Member Bourdages will work with staff on the concern over federal dollar and state dollar grants and will bring to the next meeting.
- Elizabeth will research (solicit volunteers) new possible scoring criteria in more depth and provide findings at the next meeting.
- Member Bourdages will contact Elizabeth about possible MSU grad student research project.
- Member Bourdages will put Elizabeth in contact with Ben from NRCS regarding ongoing development of process for satellite monitoring.
- Lindsay will schedule next Board meeting.

ADJOURN

Chairman Bednarski adjourned the meeting at 3:07 pm.