

OHIO FARMLAND PRESERVATION ADVISORY BOARD

MINUTES OF BOARD MEETING

Ohio Department of Agriculture
Reynoldsburg, Ohio

November 18, 2009
Minutes taken by Cindy Shy

*Disclaimer: Many individual opinions have been captured by the recorder but do not necessarily reflect the opinions of the entire Advisory Board.

Advisory Board members present: Kristen A. Jensen, Jill Clark, John Detrick, Jay Rausch, Doug Givens, Glenn Myers, Roger Rhonemus, Harold Weihl, Brian Williams, Lucille Hastings, Kurt Updegraff, and Thomas Mazur

ODA Staff members present: Jessica Atleson and Gary Taylor of the Ohio Attorney General's Office, Jody Fife, and Cindy Shy

Visitors: Jonathon Ferbrache, Fairfield County Soil and Water Conservation District and Matt Harbage, Natural Resources Conservation Service

Opening Remarks

- Kristen Jensen, Chairperson of the Board, called the meeting to order at 10:10 a.m. in Conference Room 101 of ODA's Plant Industry Building.
- Kristen Jensen introduced Matt Harbage, who recently assumed the Farm and Ranch Lands Protection Program duties with NRCS. Matt stated that he wants to help improve the timeliness of the FRPP Program.
- Kristen Jensen introduced Jessica Atleson, who advises the Farmland Preservation Office on behalf of the Ohio Attorney General's Office.
- MOTION: Doug Givens moved to accept the August 19, 2009 Advisory Board minutes. Harold Weihl seconded; motion carried.
- Kristen Jensen discussed the recent office transitions:
 1. Jessica Atleson is our new contact at the Ohio Attorney General's Office;
 2. Mark Forni, former Executive Director of Farmland Preservation, has accepted the position of Deputy Director of ODA;
 3. Kristen Jensen has accepted the position of Executive Director of Farmland Preservation;
 4. Jody Fife and Cindy Shy serve in the Office of Farmland Preservation;
 5. Another staff member will be hired. The position will be that of a program manager to help work hands-on with landowners and local sponsors. This job description will be shared with the Board when ready for posting.

Farmland Preservation Updates

- Cindy Shy gave an update on the Donation Program. The office is working to close several easements prior to the end of the year, if possible. These easements include Stoll (Logan County), Willson (Fulton County), Thorpe (Delaware County), and Hunter-Bernhardt-Shultz (Richland County).
- The Clean Ohio report, released in November 2009, was distributed to Board members. The report documents all Clean Ohio programs, including the Agricultural Easement Purchase Program (AEPP) from its inception through 2008. A new Clean Ohio display is currently installed at the State House.
- A Clean Ohio meeting was held recently in Hardin County, the only county without any Clean Ohio funding. Kristen Jensen attended to promote AEPP.
- The 10th Annual Summit was held in November. Good evaluations were received, and the handouts, podcasts, and Kathleen Merrigan video are available online. Visitors from Canada and New Jersey attended. Brian Williams commented the variety of sessions was positive, and the final panel was especially helpful in explaining how regional watershed planning and urban revitalization help preserve farmland. Any ideas for next year's event should be forwarded to Kristen Jensen.
- Staff will attend the CCAO event (Dec. 7-8) and OTA (Feb. 17-19). Notify the office staff if there are events which might be beneficial for the Office of Farmland Preservation.
- 2007 AEPP – The final 2007 easement is scheduled to close tomorrow (11/19/09).
- 2008 AEPP – The goal is to close by year-end. Seventeen of the 18 farms were originally scheduled to receive FRPP funding (federal deed), but due to issues with oil/gas leases, some of these 17 farms will now close with a state deed. Of the original \$1.5 million FRPP funds set aside, approximately \$860,000 will now be utilized. If possible ODA will amend the contract to replace farms leaving the FRPP agreement.
- 2009 AEPP – Title searches are now coming in. The AG's Office will begin the review on these 37 farms, but priority remains with the 2008 farms.
- Kristen Jensen reported that staff took a week to review all the deeds. In order to promote consistency, several changes are now in the review process. An additional review will be made on the 2009 deeds.
- 2010 Application – In order to meet FRPP deadlines, the deadline dates have been moved up. Tentative opening date is January 5, with a closing of April 2. These dates may change if it is determined that the FRPP dates have changed from previous information received. Staff will go to meetings in each quadrant to help with the AEPP application process. The Local Sponsor meeting will also be held again.
- GLRI – We will apply for \$2.1 million from FRPP for the Lake Erie region and watersheds. The state is working on a match for these grant funds.
- Second Farmland Preservation Program – this will focus on microclimates, niche markets, and possibly located closer to urban areas. The department is working to make this part of an omnibus bill. Director Boggs has indicated he would like to see this accomplished by no later than mid-December.
- Long-term Board Recommendations – Director Boggs is on board with these recommendations, but no progress has yet been made. Staff will attempt to get this moving forward.

- NRCS Teleconference – A teleconference with 11 concerned states took place to discuss results from a recent comment period on the FRPP process. Two specific comments that impact ODA concerned
 - 1) eligible land (consistency between land acceptable under state program and federal program); and
 - 2) certification process (for entities that met certain criteria, possibly certain redundant steps within the federal program may be eliminated).

Survey Results

- Jill Clark revealed draft results of the recent ODA/OSU survey of 2002-2007 AEPP participants. Overall positive outcomes were observed, with some recommendations made for program improvement. It was felt that these recommendations should be examined. Repeating this survey every 3-5 years was suggested.

2010 Application Discussion

Several questions raised during the 2009 technical meeting prompted discussion for the 2010 application (see Exhibit A for further details), including:

- Several areas of the development pressure section, including proximity to public water lines and existing homes within ½ mile perimeter of the farm boundary, raised questions.
- If a landowner purchases adjacent acreage not enrolled in CAUV, does this automatically disqualify the application? Yes, the landowner will need to wait until all land is in CAUV status.
- If a farm has contiguous land in two counties, how should this be reported? There should be one application, one offer, and two agricultural deeds of easement written and recorded.
- Is Step 14G, pertaining to whether any farm in the applicant's county has received prior funding through Clean Ohio AEPP, opposed to the mission of the program? No, this should be kept intact to possibly help reach counties which have never received funding.
- In Step 18, Soil Type Productivity, should the homestead and pond areas receive points? No, these acres should be listed with a score of "0".

Subcommittees

MOTION: After discussion, Kurt Updegraff moved to form subcommittees to look at the deeds, survey results, and development pressure section of the application. Brian Williams seconded; motion carried.

Next Board Meeting

Next meeting is set for April 28, 10 a.m. at the department.

MOTION: Motion for adjournment by Harold Weihl; seconded by Jill Clark. Motion carried.