



Public Document

Food System
Resiliency Council

2023 Report to the General Assembly

November 1, 2023

Version 1.0



State of
Maryland



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I. Introductory Address

The Honorable Wes Moore
Governor
State House
100 State Circle
Annapolis, Maryland 21401

The Honorable William C. Ferguson, IV
President
Senate of Maryland
State House, H-107
Annapolis, MD 21401

The Honorable Adrienne A. Jones
Speaker
Maryland House of Delegates
State House, H-101
Annapolis, Maryland 21401

Re: Report required by Public Safety Article §14-1103(c) (MSAR # 13046)

Dear Governor Moore, President Ferguson, and Speaker Jones:

The Maryland Food System Resilience Council respectfully submits our third report, in accordance with its legislative mandate and submitted on behalf of its 33 appointed members. This report is the summation of the Council's work from November 2022 to November 2023, which entailed thoughtful research, quantifiable data, meaningful collaboration, and creative problem-solving to develop recommendations to improve production, distribution, and access to culturally appropriate, nutritious food for all Marylanders. We acknowledge that the root causes of food system vulnerability and food insecurity are complex. A long history of racial inequity, climate change, and shifting policy priorities have created the complicated socio-economic society of today.

The Moore-Miller Administration brings forth a fresh promise for Marylanders with distinctive priorities, including to end childhood poverty. The Maryland Food Bank estimates that 1 in 3 Marylanders face food insecurity. Maryland Hunger Solutions reports that as of June 2023 there were an average of 670,866 Maryland residents participating in Supplemental Nutrition Assistance Program (SNAP) each month. According to the USDA's 2021 Household Food Security in the United States report, "the prevalence of food insecurity declined from 2020 to 2021 for a few population subgroups, including households with children under age 18 and with children under age 6, married couples with children, and single mothers with children." The ending of the COVID-19 Public Emergency in May 2023 also ended emergency allotments of additional funds to SNAP recipients, further straining food insecure households. Food producers and processors in Maryland cite a lack of robust regional processing and distribution capacity, taxation, and environmental factors inhibiting them from efficiently and competitively delivering their products to

markets. The causes of poverty and food system insecurity are complex, and the work ahead is challenging.

The Maryland Food System Resiliency Council is committed to achieving the goals for which it was established:

1. To address the food insecurity crisis in the State resulting from the COVID-19 pandemic and resulting economic crisis;
2. To develop, on or before November 1, 2021, equity and sustainability policy recommendations to increase the long-term resiliency of the food system;
3. To expand the impact of existing food council organizations; and
4. To develop, on or before November 1, 2021, a strategic plan to increase the production and procurement of Maryland certified food.

The Council will continue to meet regularly and develop policy recommendations around all four goals laid out by Chapter 725 over the next year, and we look forward to the submission of our next report in 2024. Based on the work already done, we have full confidence forthcoming recommendations will continue to build resilience into the entirety of the Maryland food system for the benefit of all Marylanders.

Sincerely,

Russell J. Strickland
Secretary, Maryland Department of
Emergency Management
Co-Chair, Maryland Food System Resiliency
Council

Heather Bruskin
Executive Director,
Office of Food Systems Resilience
Montgomery County, MD
Co-Chair, Maryland Food System
Resiliency Council

II. Executive Summary

The Maryland Food System Resiliency Council (FSRC) was established in 2021 in response to the vulnerabilities exposed and exacerbated by the COVID-19 pandemic. The Council was formed to harness the collaborative efforts of Maryland State agencies, local governments, nonprofits, private sector, agricultural sector, academics, and food system experts to address the issues impeding production, distribution, and access to nutrition across the State. Its members seek to make strides, through the legislative recommendations included herein, to achieve the goals set forth in its establishment:

1. To address the food insecurity crisis in the State resulting from the COVID-19 pandemic and resulting economic crisis;
2. Develop equity and sustainability policy recommendations to increase the long-term resiliency of the food system;
3. Expand the impact of existing food council organizations; and
4. Develop a strategic plan to increase the production and procurement of Maryland certified food.

The Maryland FSRC is staffed by the Maryland Department of Emergency Management (MDEM) and addresses threats and gaps in food system resilience through a quantifiable and collaborative approach to problem-solving. Acknowledging and mitigating threats such as climate change and invasive species' impacts is critical. Improved deployment of best practices for reducing food residuals and composting will help achieve the Council's goals. Researching, gathering, and analyzing data supports a thorough and quantifiable understanding of issues. Listening to and collaborating with industry stakeholders ensures a comprehensive and sound approach to solutions. A creative and broad-based search for available funding opportunities optimizes public funds and expedites solutions.

Beyond the appointed Council members, additional stakeholders were engaged through committee meetings and other forums to ensure a transparent, accessible process for individuals and organizations active in the Maryland food system. During 2023, the council implemented regional tours to directly promote engagement with Maryland communities. Council members, subcommittees, and other interested parties participated in bimonthly Lunch and Learn sessions, which typically included a presentation from an organization or government agency responsible for a portion of the food system, followed by facilitated discussion. Policy-focused subcommittees focused on developing draft recommendations for their assigned goals and objectives based on the subject matter expertise and experiences of the committee members and guest speakers invited to discuss a specific initiative or topic to better inform recommendation development.

The Council and committees met regularly over the course of 2023 to develop the legislatively mandated report. The council acknowledges that the root causes of food system vulnerability and food insecurity are complex. More time, resources, and consideration is required to achieve the goals as identified in statute. MDEM was identified in legislation to both co-chair and staff the Food System Resiliency Council. While MDEM staff assisted in drafting the content of this document as part of that requirement, this report reflects the wisdom, knowledge, and experience of the expert members of the Council. This document and the recommendations below are not an MDEM product, but a product of the FSRC.

Recommendation 1:

Strengthening The Emergency Food Assistance Program

The Emergency Food Assistance Program (TEFAP) has relied on the infrastructure of food banks to channel nutritious commodities to families in need. The Maryland Food Bank, Capital Area Food Bank, and Maryland Department of Human Services identified the following areas for improved execution of the program from a state perspective: (1) raising income eligibility to complement social safety net programs, (2) collect only federally required information, (3) using digital intake platforms to streamline reporting, and (4) opening dialogue with food banks related to conversion of administrative funding.

Is legislation required to implement?

No

Is funding required to implement?

No

Recommendation 2.1:

Agricultural Apprenticeship Program

The Council recommends that the Maryland Department of Labor, Maryland's [American Job Centers, Division of Workforce Development and Adult Learning](#) incorporates and pursues agricultural employers, helps coordinate rotating farm labor, and helps find off-season jobs for workers. Also promotes the idea of creating connections with the [U.S. Department of Labor's Registered Apprenticeship](#) Organic Vegetable Farm Manager Apprenticeship Program and other Registered Apprenticeships working to provide agricultural jobs on small, diversified farms.

Is legislation required to implement this recommendation?

Yes

Is funding required to implement this recommendation?

Yes

Recommendation 2.2:

Increase Electrification Incentives for Anaerobic Digestion of Food Residuals and Manure to Reduce Greenhouse Gas Emissions

Maryland's Net Metering Law (COMAR 20.50.10.01) affects operations that turn food waste or animal waste into electricity, such as anaerobic digestion. The Maryland law states that only 200% of a generator's baseline annual usage is eligible for net metering (retail price for electricity generation), which affects current and future food waste and manure-based anaerobic digestion projects. This recommendation requests alteration to COMAR 20.50.10.01, and suggests a representative of the agricultural community should be included in task forces like the Maryland Energy Administration, since decisions from task forces can impact agricultural lands.

Is legislation required to implement?

Yes

Is funding required to implement?

No

Recommendation 2.3:

Establish a Distributed Network of Cold Storage for Food System Resiliency

In 2021 and 2022 increasing cold storage capacity at the local level (at food pantries, schools, community centers, etc.) was identified by the FSRC as an essential component in improving Maryland's resiliency. Cold storage helps to expand the availability of nutritious, fresh, healthy food for distribution to communities, and the units have the potential to assist in reducing food residuals of produce, often locally grown, by extending the shelf life of rescued and donated food.

Is legislation required to implement?

Yes

Is funding required to implement?

Yes

Recommendation 2.4:

Financial and Educational Support to Increase Organics Recycling of Food Residuals

The Council recommends additional education materials on permit requirements and more information on community engagement to be developed by MDA and UM Extension related to organic recycling. Also introduces the idea of financial

incentives that would make organic recycling financially viable and encourage farmers to add this additional capacity.

Is legislation required to implement?

Yes

Is funding required to implement?

Yes

Recommendation 2.5:

Support statewide, regional, and local incentives, grants, and education programs to increase the number of food residual diversion sites

The Council recommends implementing complementary technical assistance to local or regional entities to establish private sector or local government food residuals diversion programs, to establish a one-time capital grant program, or no-interest loans to assist in deferring the start-up costs, particularly for smaller systems.

Is legislation required to implement this recommendation?

Yes

Is funding required to implement this recommendation?

Yes.

**Note that Recommendations 2.3, 2.4, and 2.5 were discussed as individual recommendations and as a single combined recommendation due to their synergistic efforts in tracking challenges in food system resiliency.*

Recommendation 4.1:

Agricultural Nutrient Management Planning Support

Nutrient Management Plans (NMPs) are existing production tools and regulation requirements to balance nutrient applications with crop requirements to optimize crop production while reducing pollution to the Chesapeake Bay. Since 2022, (MDA) and (MDE) have increased staff support to ensure nutrient management compliance at animal feeding operations (AFOs). NMP writers need more training to incorporate soil health and biological processes into recommendations, as nutrient management planning becomes more complex, additional support is needed for large and smaller farms to ensure support and compliance. It is recommended to increase UMD support from 30% to 50%, which is consistent with the 2022 legislation ([HB 649](#)).

Is legislation required to implement?

Yes.

Is funding required to implement?

Yes.

Recommendation 4.2:

Property Tax – Agricultural Land and Improvements Assessment

The Council recommends that [SB0418/](#)[HB592](#) Property Tax - Agricultural Land and Improvements- Assessment (2023) should be passed. The tax assessment changed for farms with tasting rooms, stores, and other value-added activities; the farm will no longer be taxed at the agricultural property rate. This bill creates a subclass that should be assessed at the agricultural use rate.

Is legislation required to implement?

Yes.

Is funding required to implement?

No

Recommendation 4.3:

Digital Agriculture, E-Agriculture and Smart Farming

The Council recommends promoting the use of various types of digital agriculture, e-agriculture and smart farming to implement data-driven agriculture that could improve effective monitoring, management, and decision-making for producers. A committee should be created to prepare recommendations for tech adoption and support, by assessing industry needs, priorities, and economic impacts.

Is legislation required to implement?

Yes.

Is funding required to implement?

Yes.

III. Introduction

The Maryland Food System Resiliency Council (FSRC) was established in 2021 and is codified in the Code of Maryland Regulations, Public Safety, § 14-1101-1103. The Council was formed in response to the food system vulnerabilities exacerbated by the COVID-19 pandemic. The Council harnesses the collaborative efforts of Maryland State agencies and food system experts to address the issues impeding production, distribution, and access to nutrition across Maryland. Its members strive to achieve the goals set forth by law:

1. To address the food insecurity crisis in the State resulting from the COVID-19 pandemic and resulting economic crisis.
2. Develop equity and sustainability policy recommendations to increase the long-term resiliency of the food system.
3. Expand the impact of existing food council organizations; and
4. Develop a strategic plan to increase the production and procurement of Maryland certified food.

Over the past year, the Council diligently worked on the complex issues outlined in the Next Steps section of the [report](#) presented to the General Assembly in 2022. The committees worked to develop equitable policy recommendations to address food insecurity by reducing food residuals, increasing sustainability, addressing labor hurdles, and enhancing access to food resources. In the coming year the FSRC will transition from an independent advisory body to being formally housed under the Office of Resilience at the Department of Emergency Management. The Council looks forward to continued engagement and the opportunity to advise the Governor and Maryland General Assembly on areas of food resilience.

IV. Recommendations

Goal 1

To address the food insecurity crisis in the State resulting from the COVID-19 pandemic and resulting economic crisis by:

- *Coordinating state and local level food insecurity services to support residents of the state*
- *Tracking and analyzing data to create a comprehensive map of food insecurity across the state and identify gaps in service*
- *Leveraging federal and private sector grants and other resources in order to address food insecurity needs*
- *Advising the state on how best to allocate resources and increase efficiency*
- *Exploring the role of and potential use for the federal community eligibility provision to ensure all students in the state are fed*
- *Making recommendations to the Maryland State Department of Education and the Maryland General Assembly to implement relevant findings*

Recommendation 1:

Strengthening the Emergency Food Assistance Program

The Emergency Food Assistance Program (TEFAP) is a cornerstone of food supply for Feeding America food banks and the clients served. Since the program's inception about 40 years ago, the program has relied on the infrastructure of food banks to channel nutritious commodities to families in need. The Capital Area Food Bank (CAFB) is one of only six Feeding America food banks that serves TEFAP in three states. Opportunities to innovate and strengthen TEFAP have grown ever more important as food banks across the country seek to leverage the support of governmental programs to counteract skyrocketing food costs and dwindling food donations.

CAFB in coordination with 22 other food banks across the country published a report, outlining key findings from food banks' perspectives on the program and suggestions for federal enhancements via [USDA rulemaking processes](#) and the upcoming Farm Bill. The Maryland Food Bank (MFB) and CAFB have identified state TEFAP practices and created suggestions for state-level innovations in the following aspects of service and administration:

1. Improving neighbor access and experience;

2. Updating notification schemes and usage of funding streams;
3. Streamlining reporting processes and technological interfaces; and
4. Collaborating on the Maryland State Distribution Plan.

Maryland Department of Human Services (MDHS) and appointed FSRC members met to determine potential opportunities for reform at the state level. The following items are jointly supported by MDHS and the FSRC.

1. Improving Neighbor Access and Experience

TEFAP has four key eligibility determination requirements in federal statute: name, number of people in household, address indicator, and proof of need based on income. States have a measure of discretion in dictating how these federal standards are administered. For example, some states collect full addresses, while others just request a ZIP code or state of residence.

Strategic consideration was undertaken related to the innovations to potentially begin improving Marylanders' ability to access food in an equitable and efficient manner¹:

- Raise the TEFAP income eligibility threshold standard beyond the current 150% federal poverty line (FPL). This amendment follows USDA Food and Nutrition Services (FNS), Mid-Atlantic Regional Office (MARO) standards, since currently MARO states have an income eligibility level no higher than 185% of the FPL, allowing households to be automatically eligible to receive TEFAP based on participation of all other means-tested, social safety net programs.
- Collect only federally-required information from neighbors, and prohibit collection of additional eligibility information such as identification documents and neighbor signature
- Facilitate neighbors' intake experiences by using digital intake platforms, such as Link2Feed and Service Insights as a companion. Note: preferred applications beyond Link2Feed should be subject to an implementation proposal which is subject to review by MDHS, Maryland Department of Human Services Office of Technology for Human Service (MDHS OTHS) and MARO.

2. Updating Notifications and Usage of Funding Streams

States are beholden to much of what is provided from USDA—in time, in amount, and in format. MDHS and FSRC support reforms in how these streams of funding are announced, administered, and operationalized. This can provide a unique opportunity to ensure these crucial programs are meeting the needs of the intended parties.

¹ https://www.capitalareafoodbank.org/wp-content/uploads/2023/03/Strengthening-TEFAP-Brief_CAFB_FINAL.pdf

- **Conversion of Administrative Funding:** States possess the ability to convert up to 20 percent of entitlement funding to administrative support as outlined in federal regulation. Of food banks surveyed in the report, out of pocket costs to administer the program were on average, 9 and 16 percent for federal fiscal years 2021 and 2022, respectively. On the other hand, it may be the case that a food bank needs to increase its TEFAP food sourcing and may not want to convert any funds to administrative in any given year. The decision-making process for conversion should be more inclusive as food banks' needs, like those of their clients, fluctuate greatly from year to year. MDHS should consult food banks in the future prior to converting TEFAP food dollars into administrative funds to be used by the food banks.

Is legislation required to implement?

No.

Is funding required to implement?

No.

Goal 2

To develop, on or before November 1, 2021, equity and sustainability policy recommendations to increase the long-term resiliency of the food system including:

- *Addressing and eliminating racial inequalities in the food system*
- *Addressing and eliminating diet-related public health disparities*
- *Addressing and eliminating food deserts*
- *Reducing food waste, increasing recycling, and encouraging other relevant environmental impacts*

Recommendation 2.1:

Agricultural Apprenticeship Program

The FSRC recommends that the Maryland Department of Labor, Maryland's [American Job Centers, Division of Workforce Development and Adult Learning](#) incorporates and pursues agricultural employers, helps coordinate rotating farm labor, and helps find off-season jobs for workers. Create connections with the [U.S. Department of Labor's Registered Apprenticeship](#) Organic Vegetable Farm Manager Apprenticeship Program and other Registered Apprenticeships working to provide agricultural jobs on small, diversified farms. The job centers should be directed to work with local organizations, such as local food councils, Future Harvest,

and County Extension offices, to promote the Registered Apprenticeship program to small, diversified farms. The job centers should include agricultural jobs in their job placement listings for clients.

Is legislation required to implement this recommendation?

Yes

Is funding required to implement this recommendation?

Yes, administrative support per Maryland Department of Labor staff time.

Recommendation 2.2:

Increase Electrification Incentives for Anaerobic Digestion of Food Residuals and Manure to Reduce Greenhouse Gas Emissions

Maryland's Net Metering Law (COMAR 20.50.10.01) affects operations that turn food residuals or animal waste into electricity, such as anaerobic digestion. The Maryland law states that only 200% of a generator's baseline annual usage is eligible for net metering (retail price for electricity generation), which affects current and future food residuals and manure-based anaerobic digestion projects. The COMAR was developed originally for solar energy, with the premise that solar energy is intermittent, so capping at 200% keeps this variable renewable source from interrupting grid stability. Anaerobic digestion produces consistent electricity 24 hours, 7 days a week from the biogas produced directly through this biological process. Current US federal policy results in larger profits for digestion facilities that produce renewable natural gas, which results in fewer, large anaerobic digestion facilities being planned due to the infrastructure required to upgrade biogas (60% CH₄) from anaerobic digestion to renewable natural gas (>99% CH₄). Producers on smaller livestock farms could be incentivized to reduce greenhouse gas (GHGs) emissions from open manure storage lagoons by covering the lagoons to catch methane and use it to produce renewable electricity.

The passing of [SB0143](#) in 2023 created more flexibility for net-metering payouts. However, the implications for electric companies to provide retail rates from electricity from anaerobic digesters is not clear. Additionally, criteria for community engagement and education (for both community members and producers) should be developed by Maryland Department of Agriculture to ensure that community concerns are received, and education is provided on anaerobic digestion benefits and best management practices.

Is legislation required to implement?

Yes, options should be explored in energy related task forces to increase electrification incentives for anaerobic digestion of food residuals and manure to reduce greenhouse gas emissions. Options explored could include legislation to increase the net metering incentive beyond the 200% net cap for retail electricity

rates for anaerobic digestion facilities, which could be similar to Vermont's 'Standard Offer' for digesters, which mandates that renewable energy from these facilities be paid monthly by utilities at the pro-rata basis determined by each utility's total retail sales from the previous year (see: [Vermont Law 30 V.S.A § 8005a](#) and [Standard Offer website](#)).

The Maryland Energy Administration Task Force to study solar incentives or similar future energy related task forces, should include a representative of the agriculture community. Agricultural lands may be impacted the most by the task force's decisions.

Is funding required to implement?

No.

Recommendation 2.3:

Establish a Distributed Network of Cold Storage for Food System Resiliency

In 2021 and 2022 increasing cold storage capacity at the local level (at food pantries, schools, community centers, etc.) was identified by the FSRC as an essential component in improving Maryland's resiliency. Cold storage helps to expand the availability of nutritious, fresh, healthy food for distribution to communities, and the units have the potential to assist in reducing food residuals of produce, often locally grown, by extending the shelf life of rescued and donated food. In Maryland, small food distributors are forced to turn away donations or rescued foods due to limited to no cold storage capacity.

Cold storage that can accommodate larger equipment, such as pallet jacks, can improve organizations, pantries, or community centers' ability to accept and distribute a larger variety of foods, including fresh produce, and culturally appropriate items to the community and ensure local agricultural products are consumed before being wasted. and distribute a larger variety of foods, including fresh produce, and culturally appropriate items to the community. Solar powered cold storage units could also be used in events of emergency, such as power outages, periods of grid instability, natural disasters, or delays in supply-chain deliveries for food distribution networks while assisting in reducing greenhouse gas emissions.

Is legislation required to implement?

Yes.

Is funding required to implement?

Yes, \$6.3M funding required for implementation of this recommendation to accommodate cold storage infrastructure for agriculture, food distribution, food donation, and other needs to increase food system resiliency. The total funding

recommendation was calculated based on an average of one larger walk-in unit and two smaller walk-in units for each of the 23 counties and Baltimore City, with \$60,000 for MDA to administer and market the fund to receive proposals for building these units. A larger walk-in (24'x40') costs about \$150k and a smaller (20'x20') walk-in costs about \$55k to build and install, including the pad, electrical upgrades, equipment, and labor. MDA would be responsible for marketing the grant funds, creating the cold storage request for proposals, and evaluating the applications based on locational need, maintenance plan with timeline, and collaboration plan, if short-term emergency coordination is needed.

Recommendation 2.4:

Financial and Educational Support to Increase Organics Recycling of Food Residuals

There is a need for an increase in organic recycling capacity to meet Maryland's needs for diverted source-separated organic materials diversion, yet, minimal facilities are available for food residuals diversion.²

There is a need for an increase in organics recycling capacity to fulfill the goals and metrics of 2017 Maryland's EO 01.01.2017 identifies the need for source-separated organic materials diversion. From a statewide characterization report in 2016, an estimated 713,000 tons of municipal waste disposed of is food residuals annually whereas the current capacity for food scrap organics recycling is only 290,000 tons per year. The on-farm composting permit exemption bill passed in 2023 ([SB0262](#)) allows up to 10,000 ft² of on-farm composting without a MDE permit, doubling the non-permit on-farm compost space from 5,000 ft². Increasing organics recycling will promote increasing turning food residuals into organic-based fertilizer (compost) instead of residuals being a large landfill input (17.9% of MD landfill content) and the associated greenhouse gas emissions from Maryland landfills (4.9 million tons CO_{2e}) emitted from these residuals.

Additionally, education materials on permit requirements and more information on community engagement should be developed by Maryland Department of Environment and University of Maryland Extension to ensure that community concerns are received and education is provided on organic recycling benefits and best management practices to ensure our land, air, and water resources are protected. Financial incentives would make organic recycling financially viable and encourage farmers to add this additional capacity.

Is legislation required to implement?

The 'Solid waste disposal and diversion and on-farm composting and compost use' bill proposed in [HB1139](#) in the 2023 legislative session would provide this financial support. The 2023 proposed bill would have established an 'On-Farm Composting and Compost Use Grant Fund' as a special, non-lapsing fund, which would be

² COMAR 26.04.19.02 Defines organic recycling as (a) "Organics recycling" means any process in which organic materials are collected, separated, or processed and returned to the marketplace in the form of raw materials or products. (b) "Organics recycling" includes anaerobic digestion and composting. (9) "Organics recycling facility" means a facility where organics recycling takes place.

funded through a statewide solid waste disposal surcharge to be collected by owners and operators of refuse disposal systems and requiring that the surcharge revenue be remitted on a quarterly basis to the Comptroller. The non-lapsing fund created by the surcharge revenue would be administered by MDE and used for incentivizing organics recycling and waste diversion activities, including food donation (and associated cold storage infrastructure), animal feed, composting, and/or anaerobic digestion.

Is funding required to implement?

Consideration for the funding mechanism should be explored with the 'Solid waste disposal and diversion and on-farm composting and compost use' bill proposed in [HB1139](#) in the 2023 legislative session. The legislation would establish a non-lapsing fund, funded through a statewide solid waste disposal surcharge to be collected by owners and operators of refuse disposal systems with surcharge revenue remitted on a quarterly basis to the Comptroller. This funding would provide organic recycling of type 2 feedstock entities with incentives and cost-sharing for organic recycling, with funding (\$250,000) to create educational materials, technical assistance, and assist with community engagement and Environmental Justice incorporation, which could come from solid waste disposal revenue funds. The fund would provide 10% administrative costs to administer the grant funds.

Recommendation 2.5:

Support statewide, regional, and local incentives, grants, and education programs to increase the number of food residual diversion sites

A need for additional incentives, decreased policy barriers, and education/technical assistance for food organic recycling to increase food residual diversion sites and organic matter in soil.

This program would provide complementary technical assistance to local or regional entities to establish private sector or local government food residuals diversion programs. The Council recognizes the work of the Maryland Department of the Environment and the Maryland General Assembly on increasing the number of food residuals sites around the State. Notably, the 2021 passage of HB 264 ([Organics Recycling and Waste Diversion - Food Residuals](#)), which requires many establishments to separate food residuals from other solid waste, as well as ensure those residuals are diverted to more sustainable uses (food pantries, animal feed, composting sites, or anaerobic digestion).

Within the state, there is a need for more capacity for more food residue diversion. State, regional, and local incentive programs to establish processing facilities and other sites capable of taking these food residuals or implementing other types of diversion programs (such as animal feed, composting, or anaerobic digestion) would

increase the existing law's impact and efficacy. Alternatively, the State or local government could establish one-time capital grant programs or no-interest loans to assist in deferring the start-up costs, particularly for smaller systems that could be more sustainable long-term but have higher initial costs due to economies of scale.

The State should provide technical assistance to communities and private sector entities on establishing organic recycling and diversion sites and programs. For food scrap residual processing start-up, the State should support local government, community organizations and companies in understanding and navigating the process of setting up sites, permits (environmental and power purchase agreements), community input mechanisms, and other steps for establishing anaerobic digestion or composting facilities. The State should also provide technical assistance to businesses on how to divert organics from the waste stream.

Education has been identified as a key step in reducing food residuals and increasing composting and anaerobic digestion across the state. A multi-pronged approach for education, from schools to consumers to business owners, is recommended. This includes working with educational institutions to bring food residuals programming to schools, providing education for farmers on how to navigate food surplus donation, diverting food residuals for composting or energy production (anaerobic digestion), and creating a "one stop shop" for regulations, best practices, and education surrounding organic recycling, soil health, and water quality.

Is legislation required to implement this recommendation?

Yes

Is funding required to implement this recommendation?

Yes. The council recommends seeding this grant program with \$800,000. The program will also require management costs, which are estimated at approximately \$150,000 yearly.

**Note that Recommendations 2.3, 2.4, and 2.5 were discussed as individual recommendations and as a single combined recommendation due to their synergistic efforts in tracking challenges in food system resiliency*

Goal 4

To develop, on or before November 1, 2021, a strategic plan to increase the production and procurement of Maryland certified food, including:

- *Increasing the quality and quantity of production as well as aggregation, marketing, and distribution of local food in urban, suburban, and rural settings*
- *Increasing procurement of local food through schools, universities and other institutions*
- *Creating additional market opportunities for Maryland food businesses*
- *Expanding access to small scale manufacturing and food production infrastructure*

Recommendation 4.1:

Agricultural Nutrient Management Planning Support

Nutrient Management Plans (NMPs) are existing production tools and regulation requirements to balance nutrient applications with crop requirements to optimize crop production while reducing pollution to the Chesapeake Bay. Since 2022, the Maryland Department of Agriculture (MDA) and the Maryland Department of the Environment (MDE) have increased staff support to ensure nutrient management compliance at animal feeding operations (AFOs) through dedicated staff at MDA overseeing routine compliance reviews at AFOs and increased collaboration with MDE on permit issuance and compliance resolution. University of Maryland (UMD) Extension currently supports writing NMPs for approximately 30% of the state's agricultural acreage.

To reduce the number of farms without proper annual NMP submission, the UMD's NMP support effort should be increased to more than 50% of the acreage to ensure compliance rates in the state are closer to 100%. This additional nutrient management support would be consistent with the 2022 legislation ([HB 649](#)) that charges MDE to reduce "significant" noncompliance among permit holders, which can include increased fines, more frequent on-site inspections, and notices of deficiency being documented. Additional capacity and resources are needed to fulfill technical assistance requests by UMD, with additional auditing and administration support at MDA.

It was recently [announced](#) there was a need for a new strategy in the delivery of NMP writing services. A sustained funding source for UMD is needed to provide technical assistance to all Maryland producers, especially producers with limited resources, which is a necessary step toward compliance and environmental stewardship. Currently, nutrient management plan writers are contract workers at

UMD, which reduces staff retention. Sustained funding directly to UMD for nutrient management planning support statewide would increase NMP compliance and help build continued trust in the community with long-term NMP writers.

Additionally, funding is needed to UMD to modernize software and tools for developing NMPs and continued support for the agricultural community on utilizing the modernized tools. The software and tools for developing NMP need to be updated to ensure that data is properly captured, categorized, and analyzed to help MDA, MDE, and policy makers understand the effects of nutrient management planning on both agricultural viability and environmental protection. NMP writers also need more training, where available, to incorporate soil health and biological processes into recommendations, as nutrient management planning becomes more complex, additional support is needed for smaller farms to ensure support and compliance.

Is legislation required to implement?

Legislation is needed to increase nutrient management support for new state agency personnel at MDA, MDE, and change funding allocations to UMD.

Is funding required to implement?

Yes, funding is needed for two full-time equivalents (FTEs) at MDE and two FTEs at MDA assigned to technical assistance and enforcement for NMP. Sustained funding (non-contract) is needed for UMD at \$3.4 million annually, with cost of living increases, for Nutrient Management Plan services, including personnel to provide training, education, and the maintenance and upgrades to nutrient management planning software and tools. A one-time funding of \$750,000 to UMD is needed to develop new nutrient management planning software.

Recommendation 4.2:

Property Tax – Agricultural Land and Improvements Assessment

The previous tax reassessment bill ([SB0418/HB0592](#)): "Property Tax - Agricultural Land and Improvements – Assessment" should be passed. When the tax assessment changed, farms that have tasting rooms, stores, or other value-added agricultural activities on the farm are no longer taxed at the agricultural property rate, regardless of the major activity being farmed. This bill would have created a subclass that an actively used farm that supports value-added agricultural activities and required that improvements on an actively used farm that support value-added agricultural activities should be assessed at the agricultural use rate. It did not pass in the 2023 legislative session but is needed to increase the viability of local agriculture in Maryland.

Is legislation required to implement?

Yes.

Is funding required to implement?

No

Recommendation 4.3:

Digital Agriculture, E-Agriculture and Smart Farming

The Rockefeller Foundation states that to transform our food system we need to modernize data and technology platforms. FSRC recommends increasing the use of e-agriculture, smart farming, and other digital technologies, such as blockchain, internet of things (IoT), sensors, drones for crop maintenance, drones with multi-spectral imaging technology for assessing plant health, radio frequency identification (RFID) for animal identification, global positioning systems (GPS), geographic information systems (GIS), mobile apps, e-commerce, artificial intelligence, and data analytics. These technologies can be integrated into livestock and crop management as well as other processes germane for large, medium and small food producers. This data-driven agriculture could provide more effective monitoring, improve communication and documentation, which could foster efficient informed decision-making for Maryland farmers.

First, a committee should be formed to prepare specific recommendations for technology adoption and support. The committee should assess industry needs and priorities to determine the highest and best use of funding and support programs. Specifically, the committee should assess Maryland's agricultural sector to identify opportunities that would be attractive to the private sector and potential new startups. Conduct an inventory of existing technologies currently in use in Maryland along with advanced technologies that are currently in use in other state, countries, and by large agricultural businesses.

In a similar fashion, the committee should evaluate existing technology support programs in Maryland in comparison to other areas. The committee would prepare specific recommendations for new programs and estimate the economic impact and cost of such recommendations. Recommendations could include tax incentives, funding programs, and other possible avenues to support the adoption of new technology in agriculture that have the potential to advance the industry and support our mission of food security. Acknowledging the complexity and scope of the task, the committee should employ technical expertise as needed.

Is legislation required to implement?

Yes, legislation is required to establish the Technology in Agriculture Committee. The committee would be headed by the Maryland Department of Agriculture, with committee members from the Department of Commerce, County Agricultural offices, University of Maryland Extension, industry, and farmers.

³ Rockefeller Foundation (July, 2021). True Cost of Food: Measuring What Matters to Transform the US Food System. <https://www.rockefellerfoundation.org/wp-content/uploads/2021/07/True-Cost-of-Food-Full-Report-Final.pdf>

Is funding required to implement?

Yes, Administrative support, research, and other expertise will be required to assist committee members with recommendation development and assessment of economic impacts.

V. Summary of Committee Work

A. Communication and Coordination Committee

The 2023 Legislative session in the Maryland General Assembly was as robust as ever, with 1,365 bills introduced in the Senate and 1,699 bills introduced in the House, and 806 in total enacted. The FSRC Communications and Coordination committee reviewed 61 bills, 28 cross-filed, and 34 unique bills. The committee recommended the Council offer supportive testimony (written or verbal) on 18 bills, 11 of which were sent to the Governor and enacted into legislation.

Co-chaired by Michael J. Wilson, Director of Maryland Hunger Solutions, and Anne Palmer, Associate Scientist & Director of Practice at Johns Hopkins Center for a Livable Future, the Communications and Coordination committee convened once a week on Mondays throughout the legislative session. The University of Maryland Center for Health and Homeland Security (CHHS) and MDEM provided weekly briefings on proposed legislation, to foster intentional dialogue on potential impacts on the Maryland food system. Each bill was discussed to evaluate whether the bill's overall objectives aligned with FSRC goals and objectives as identified in statute. Below is a summary of legislation reviewed during the 2023 session.

Total bills reviewed	61 total including 34 unique bills
Total bills supported	18 bills
Total supported bills sent to the Governor and enacted.	11 bills

HB0032/SB0124 Maryland Food System Resiliency Council

[HB0032/SB0124](#). Establishing the Maryland Food System Resiliency Council under the Office of Resilience, in the Maryland Department of Emergency Management; and altering the process for electing a co-chair of the Council, effective Oct. 1, 2023.

Sponsored by Delegate Charkoudian, this bill passed the House unanimously. Amended to include 1 representative from the seafood industry. The Senate removed the House Amendment. Passed and was signed by the Governor.

HB0063/SB0386 Certified Local Farm and Fish Program - Establishment

[HB0063/SB0386](#) Altering the Certified Local Farm Enterprise Program to be the Certified Local Farm and Fish Program; expanding the purpose of the Program to include food from certified Chesapeake invasive species providers in the overall percentage goal for certain procurement contracts; altering the Certified Local Farm Enterprise Food Aggregation Grant Fund to be the Certified Local Farm and Fish Food Aggregation Grant Fund; etc. Effective July 1, 2023. Amended to adjust terminology from "Chesapeake Invasive Species Provider" to "Fish" and include a reporting requirement.

This bill was sponsored by Delegate Charkoudian and passed the House unanimously. It was introduced in a prior session as: SB0985 in the 2020 Regular Session. The bill was signed by the Governor with an effective date of July 1, 2023.

HB0152 Department of Agriculture - Urban Agriculture Grant Fund

[HB0152](#) Altering the purpose and contents of and the requirements and qualifications under the Urban Agriculture Grant Fund; requiring the Governor, in each of fiscal years 2025 through 2029, to include at least \$100,000 for the Fund in the annual budget bill; establishing the Urban Agriculture Advisory Committee to recommend guidelines, policies, and practices for the implementation of the Grant Program; and requiring the Advisory Committee to report to certain committees of the General Assembly by December 30, 2023.

This bill is effective July 1, 2023, and it:

- Grants funding available to commercial, nonprofits and institutions of higher education.
- Establishes a minimum funding level.
- Expands the definition of an Urban agricultural producer.

Sponsored by Delegates Wells, Addison, Allen, Baker, Barve, Boyce, Ciliberti, Foley, Guyton, Healey, Holmes, Jacobs, Lehman, Love, T. Morgan, Nawrocki, Otto, Ruth, Stewart, Terrasa, and Ziegler. The bill passed unanimously and had been introduced in a prior session as: HB1216 Session: 2022 Regular Session. The Governor signed this bill, effective July 1, 2023.

SB0262/HB0253 Environment - On-Farm Composting Facilities - Permit Exemption

[SB0262/HB0253](#) Requiring the Department of the Environment to adopt regulations to exempt an on-farm composting facility from the requirement to obtain a permit if the on-farm composting facility uses 10,000 square feet of area or less for active food scrap composting, composts only certain materials, records the amount and source of off-site type 2 organics composted and the date and time the off-site type 2 organics arrived on the farm, retains the records for 5 years, provides records on request, and meets any other condition for a permit exemption; etc.

Co-sponsored by Senators Gallion, Hester, and Carozza and Delegates Shetty, Ciliberti, Foley, Holmes, J. Long, Love, T. Morgan, Ruth, Stewart, and Ziegler. The Bill passed unanimously and was signed into law by the Governor, effective Oct. 1, 2023.

SB0034/HB0389 Department of Agriculture - State Specialist for Value-Added Agriculture

[SB0034/HB0389](#) Establishing the State Specialist for Value-Added Agriculture as a position in the Department of Agriculture to serve as the primary point of contact for individuals engaging in, or interested in engaging in, value-added agriculture in the State; etc.

Value-added agriculture is the alteration or enhancement of a raw agricultural product, including livestock or an agricultural service in a way that increases the product or services' worth to a consumer and brings more revenue to the farmer, producer, and processor. It includes all enterprises, including those providing equine activities in which an agricultural business, or the agricultural business' products, or services are altered, marketed, produced or processed in a way that adds income to a farmer, producer, or a processor.

Co-sponsored by Senators Hester and Gallion and Delegates T. Morgan, Bagnall, Crosby, Griffith, Hartman, D. Jones, Love, M. Morgan, Rose, Ziegler, Addison, Baker, Boyce, Ciliberti, Foley, Guyton, Healey, Holmes, Jacobs, Lehman, Nawrocki, Otto, Ruth, Stewart, and Terrasa. This bill passed unanimously and was signed by the Governor, effective Oct. 1, 2023.

HB0502/SB0002 Department of Human Services - Electronic Benefits Transfer Cards - Theft of Benefits (Prevent Electronic Benefits Theft Act of 2023)

[HB0502/SB0002](#) Requiring the Department of Human Services (DHS) to restore to a beneficiary any benefits lost due to theft; authorizing certain households to request a hearing within 90 days after a certain determination; requiring the State to give preference to certain vendors in the procurement process for electronic benefits distribution or administration; authorizing the Department to restore certain

benefits; requiring the Department to take certain actions to reduce the vulnerability of Electronic Benefits Transfer cards to theft; etc. Requiring the Department of Human Services to reimburse a beneficiary for any benefits lost due to the fraudulent use of the beneficiary's Electronic Benefits Transfer card; requiring the State to give preference to certain vendors in the procurement process for electronic benefits distribution or administration; requiring the Department to establish a certain point of contact for investigating and identifying electronic benefits fraud; applying certain provisions of the Act retroactively; etc.

Once a DHS investigation shows that a household has been a victim of theft, benefits will be automatically restored. DHS cannot require a police report as proof of theft.

If DHS determines that no benefit restoration is due, the household may request a DHS hearing within 90 days. Full benefits must be restored while the hearing is pending. Requires the State to give preference to vendors that have insurance and prioritize security. This bill was Co-sponsored by Delegates R. Lewis and Watson and Senator Hester and signed by the Governor, effective upon enactment.

HB0584 Income Tax Credit - Food Donations by Qualified Farms - Extension (Farmers Feeding Families Act)

[HB0584](#) Repealing certain termination provisions for a tax credit against the State income tax for fresh farm and organic fresh farm food donations; altering the amounts of the tax credit from 50% to 100% of the value of an eligible food donation and from 75% to 100% of the value of the donated certified organic produce a qualified farm is eligible to receive under certain circumstances; applying the Act to all taxable years beginning after December 31, 2022; etc. Permanently extends the State income tax credits for eligible food donations by qualified farms. The credit was set to expire in 2023.

Alters the amounts of the tax credit from 50% to 100% of the value of an eligible food donation and from 75% to 100% of the value of the donated certified organic produce a qualified farm is eligible to receive under certain circumstances. Applies to all taxable years beginning after December 31, 2022; etc..

Sponsored by Delegates Ebersole, Buckel, Cardin, Crutchfield, Hartman, D. Jones, Kaiser, McCaskill, McComas, Palakovich Carr, Pasteur, Patterson, Qi, Attar, Fair, Feldmark, Griffith, Grossman, Henson, Hornberger, Miller, Mireku-North, Vogel, Wells, and Wu. The bill was signed by the Governor, effective July 1, 2023.

SB0782/HB0586 State Procurement - Purchasing - Compost, Mulch, and Soil Amendments and Aggregate

[SB0782/HB0586](#) Requiring each unit of State government to include certain specifications for certain products produced from recycled or organic materials when establishing procurement specifications for compost, mulch, or other soil amendments or aggregate; and requiring the Maryland Green Purchasing Committee to establish specifications for purchasing of compost, mulch, or other soil amendments or aggregates produced from certain materials and publish and maintain the specification online for use by State agencies.

Co-sponsored by Delegates Stein, Alston, Bagnall, Bhandari, Chisholm, Cullison, Guzzone, Hill, S. Johnson, Kaiser, Kerr, R. Lewis, Lopez, Martinez, M. Morgan, Pena-Melnyk, Rosenberg, Taveras, White, and Woods and Senator Hester. Signed by the Governor, effective Oct. 1, 2023.

SB0407/HB0848 Drinking Water - Indirect Potable Reuse Pilot Program - Establishment

[SB0407/HB0848](#) Establishing the Indirect Potable Reuse Pilot Program in the Department of the Environment for the purpose of authorizing the regulated use of reclaimed water as a source for drinking water treatment facilities; providing for the issuance of potable reuse permits under the Pilot Program; applying certain public participation requirements to potable reuse permits; requiring the Department to submit a report on the status of the Pilot Program to the Governor and General Assembly on or before December 31, 2024; etc.

Co-sponsored by Senators Ready and Hester and Delegate Rose. Signed by the Governor, effective upon enactment.

SB0559/HB0514 Education - Maryland Meals for Achievement In-Classroom Breakfast Program - Annual Appropriation

[SB0559/HB0514](#) Increasing the appropriation required by the Governor in the annual budget bill for the Maryland Meals for Achievement In-Classroom Breakfast Program from \$7,550,000 to \$12,050,000. Co-sponsored by Senators Guzzone, Zucker, Benson, Elfreth, Hettleman, King, McCray, Rosapepe, Augustine, Brooks, Feldman, Hester, Kagan, Lewis Young, and Watson and Delegates Solomon, Charkoudian, Foley, Fraser-Hidalgo, Guyton, Love, Mireku-North, Palakovich Carr, Qi, Shetty, Stewart, Terrasa, and Vogel. The bill was signed by the Governor, effective July 1, 2023.

SB0650/HB0789 Public Safety - State Disaster Recovery Fund

[SB0650/HB0789](#) Establishing the State Disaster Recovery Fund to provide disaster recovery assistance to units of local government for individuals and families and for the repair, restoration, reconstruction, or replacement of public facilities, low-interest or no-interest loans to businesses and nonprofits when a federal disaster declaration is not received, and disaster-related assistance for the unmet needs of individuals and families after a federal disaster declaration or in the event of a certain denial of federal assistance; etc. This bill allows the units of local government to access the Catastrophic Events Fund. The bill was passed without any appropriation for the Fund.

The bill was co-sponsored by Senators Elfreth, Bailey, Beidle, Hester, Gile, Rosapepe, Benson, Corderman, Guzzone, Hettleman, Jackson, Jennings, King, McCray, Salling, Zucker, Brooks, Carozza, Kagan, Lewis Young, Watson, and Simonaire and Delegate D. Jones. The bill was signed by the Governor, effective July 1, 2023.

B. Distribution and Access Committee

The Distribution and Access committee, chaired by Diana Taylor, Director Strategic Initiatives, for Anne Arundel County Partnership for Children, Young, and Families, and co-chaired by Meg Kimmel, Executive Vice President & Chief Strategy Officer for the Maryland Food Bank convened committee meetings once a month to determine priorities following the publication of the 2022 Food System Resiliency Council annual report.

Distribution and Access committee members focused on examining the recommendation introduced after the development of the 2022 annual report, related to the reform of The Emergency Food Assistance Program (TEFAP) proposed by Capital Area Food Bank. TEFAP is a federal program that helps supplement the diets of people with low income by providing them with emergency food assistance at no cost. TEFAP, created almost 40 years ago, is an essential food supply for Feeding America food banks and their clients, providing 100% American-grown USDA foods and administrative funds to States to operate the program. The committee invited Capital Area Food Bank representatives, Adam LaRose and Julia Lemp to discuss challenges and barriers to administering the program, including State enacted regulations outside federal requirements.

The committee explored other programs which may benefit from reform including the Commodity Supplemental Food Program (CSFP), a program which works to improve the health of low-income persons at least 60 years of age by supplementing their diet with nutritious USDA Foods. CSFP provides certain foods at no cost such as canned fruit and vegetables, canned meats, pasta or rice, dry beans or peanut butter, fruit juices, cereals, and other items. Andrew Baker, Food and Wellness Coordinator for the Maryland Department of Aging, and LaTanya Clark,

Nutrition and Health Promotion Manager presented to the committee as subject matter experts related to program operations and outcomes.

Moving forward, the Distribution and Access committee intends on revisiting the identified items listed in the Next Steps section of this report, to determine priorities for 2024. The committee initially identified the following items for possible examination in 2024:

- Implementation of a Statewide Mapping Resource
- Funding opportunities for food stabilization

C. Environment and Production Committee

The Environment and Production committee chaired by Dr. Stephanie Lansing, Professor & Director of Bioenergy and Bioprocessing Laboratory in the Department of Environmental Science and Technology at University of Maryland, College Park, continued to meet every two weeks over the past year. The committee provided expert perspectives related to agricultural and environment considerations during the Maryland legislative session to the Communication and Coordination committee. Additionally, the committee invited various subject matter experts to determine priorities for recommendation development in 2023, including:

- **Kurt Fuchs**, Senior Vice President of External Affairs at Horizon Farm Credit, and Chip Bowling, partner in Bunker Hill Farm LLC & owner of Bowling Agri Service, Inc. discussed experience operating and representing both large farms and organizations supporting thousands of farms of all sizes. Kurt and Chip provided a broad perspective on the role of the agriculture industry in Maryland - what it looks like, how it works, and what resources it can provide to those interested in securing reliable food sources for Maryland's residents.
- **Dr. Rachel Lamb**, Senior Climate Advisor for the Maryland Department of the Environment (MDE) reported a unique perspective blending climate data science and practical environmental policy implementation. The committee discussed how Dr. Lamb's work with MDE, operates at the intersection of the actions needed for mitigation and environmental security, and the policies and legislation needed to set them in motion, especially how it affects the agriculture industry of our State.
- **Ernie Shea**, President of Solutions from the Land, provided valuable information related to work done on the Maryland Agriculture Climate Vulnerability Assessment with the Harry R. Hughes Center for Agro-Ecology and the University of Maryland College of Agriculture and Natural Resource. Committee members engaged in discussion on the need for the assessment in Maryland, and the study phases examining producer concerns and needs.

Ernie offered a unique perspective in his experience of over 40 years at the global, national, state, and local level designing and facilitating initiatives to enhance the effective functioning and ability of agricultural landscapes to sequester carbon, protect water quality, improve public health, and ensure a growing and resilient food system.

- **Michelle Caruso**, Manager of Strategic Partnerships, for the Montgomery County Food Council (MCFC), discussed the process of applying for a USDA grant, the projects the funds will be used for, and advice for how other organizations can access and employ this type of grant funding in their own work. The committee further explored the overall work of MCFC and lessons learned from efforts to develop food resilience at the county level.
- **Michael Protas**, owner and operator at One Acre Farm in Dickerson, MD and Linda Lewis, a local Maryland farmer, engaged in dialogue on how supporting local food systems in turn supports local food economics, how local farmers tackles that role sustainably, and what role H2A Seasonal Agricultural Workers play in supporting and maintaining local systems and economies.
- **Shelby Watson-Hampton**, Director of the Southern Maryland Agricultural Development Commission (SMADC), and Phillip Gottwals, Managing Member of ADS, LL. displayed a wealth of experience working in agriculture at multiple levels and scales, but specifically provided guidance and informed the committee on planning for regional agriculture centers. Shelby shared what SMADC's attempted, how it worked, and what methods might be expanded, adapted, or borrowed to enhance efforts and initiatives. Phillip identified current findings and discovery as Frederick County considers its planning for a regional agricultural center implementation.

Several working groups composed of committee members and community stakeholders met to further refine priorities for recommendation development. Some subjects were identified to be important but require more refinement before presentation to the full Council for publication; those topics for future consideration are listed below:

Topic 1 - *Provide outcome-based payments to farmers for achieving healthy soils/carbon sequestration*

Paying farmers based on measurable soil health outcomes – instead of implementing specific conservation practices – could ensure the state's investments in improving soil health have the greatest impact. Payments would be based on measurable, science-based verification of outcomes. Involvement in the Million Acre Challenge's [Soil Health Benchmark Study](#) could help farmers determine whether their soil health management practices are achieving the desired results or where improvements may be possible. The [Soil Health Benchmark Study](#) provides a soil

health assessment and comparisons of soil health and management data between peer farms. Funding could come from restructuring a portion of Maryland's Healthy Soils Initiative (and its current level of funding) to base payments on outcomes rather than implementation of specific academic-recommended practices for Maryland soils.

Topic 2 - *Workgroup within the Maryland Commission on Environmental Justice and Sustainable Communities (CEJSC), including representation from the agricultural sector, to develop recommendations for future poultry AFO construction.*

Siting and permit issuance for the construction of new or expanded poultry operations is largely driven by county zoning regulations. County officials would likely benefit from additional resources and knowledge to balance economic and community needs and should be engaged accordingly. The Maryland Commission on Environmental Justice and Sustainable Communities ([CEJSC](#)) is the state's advising body on environmental justice (EJ) policies; its cited authority includes "analyzing the effectiveness of local government laws to address EJ issues." Its authority and membership, including representation from the agricultural sector, would be an appropriate forum to review current state and local animal feeding operations (AFO) regulations and related environmental health data to develop appropriate recommendations for the future siting and density of AFOs.

Topic 3 - *Continue to integrate environmental justice into the Maryland Department of Agriculture (MDA) and the overall State's structures and programs.*

On the 2019-2021 Maryland State Agency Environmental Justice Scorecard from University of Maryland's Center for Community Engagement, Environmental Justice, and Health (CEEJH), the Maryland Department of Agriculture (MDA) received the lowest score for centering environmental justice of the agencies evaluated. Fortunately, MDA has already taken some steps to rectify this: the Office of Resource Conservation is working to complete a strategic plan that includes environmental justice, evaluating and realigning priorities consistent with the Moore Administration, and hiring a Coordinator for Equity and Climate Initiatives who will develop policy recommendations for the department.

The FSRC commends MDA for taking these steps and recommends that MDA collaborate with MDE to have one state agency-based EJ screening tool for the whole state of Maryland to use to entice unity, avoid confusion during public hearings, and eliminate potential delays in project permitting. The current [EJ Screening Tool](#) is currently being reviewed by the Green & Blue Infrastructure Policy Advisory Commission, which holds monthly meetings open to the public for feedback and updates. To incorporate MDA into this process, the FSRC recommends that 2022 [Senate Bill 348/HB653](#) be amended to add MDA to its member list.

Additional legislation could be created to develop a statewide EJ screening tool that is not specific to MDE's staff and budgeting, and thus has a group of technical advisors developing it. Members of this task force could include the current MDE staff, members of MDA for permitting and nutrient management, Maryland Department of Planning (MDP) for current zoning and policies, Maryland Department of Health (MDH) for general public health in conjunction with environmental justice, and Maryland Energy Administration (MEA) for utilities knowledge.

Topic 4 - Agricultural Tool Sharing

Tool sharing programs for smaller producers are not consistent across the State. There is a need to compile a list of needed tools (based on input of local farmers) and explore the economics and accessibility of tool programs operated through state and local agencies and compare these options to cost-share programs of private renting. This analysis could include creating a better understanding of the commodity-specific tools not available in the private sector or within existing tool sharing programs and how providing access to these tools could lead to increases in local agricultural production for small holders, especially those from underrepresented groups.

Topic 5 - Regional Agriculture Centers (RACs)

Use lessons learned from the Southern Maryland Agricultural Development Commission (SMADC) meat processing expansion and Frederick County's feasibility study on processing and aggregation to determine next steps in developing Regional Agriculture Centers (RACs) in the three other MD regions (Eastern Shore, Western, and North/Central).

Topic 6 - Local Food Preservation for Schools and Institutions

Provide resources towards the Seasonal Mismatch of Maryland agriculture, schools, and institutions to increase preservation, canning, and other facilities to ensure Maryland-grown food is consumed by schools and universities when they are in session. Additionally, there needs to be infrastructure in schools to support accepting and serving fresh produce. This may require legislation for pilot programs at schools and/or institutions (eg., a correctional facility, hospital, or at Parks and Recs) to recreate the success of the Caroline County Public Schools program to can, preserve, and serve local food in their school system. Funding of mobile units should also be considered.

Topic 7 - Local Agricultural Price Constraints in Maryland

Price constraints force procurement out of state. SNAP benefits have been cut, recent Produce Prescriptions + Nutrition education has been productive. Data collection is necessary to show the direct benefits between local food and health benefits to increase produce prescriptions. Investigations into other states that have set a premium on local food to be factored into procurement.

Prices and payments would likely need to be put in place prior to the growing season to incentivize the practice. Quantifying the impact of other incentives beyond price, such as job creation and environmental impacts, needs to be conducted for Maryland.

Topic 8 - Improving Regulatory Framework for Small-Scale Producers

Small farms and producers face unique challenges and barriers including contradictory regulations (zoning barriers), economies of scale for equipment (shared resources and joint services), risks associated with non-commodity/non-traditional crops, and access to resources such as land, labor, and competitive financial programs. Existing barriers should be examined and recommendations made on how to improve small-scale agricultural production and farming and its regulatory framework.

The Governor's Intergovernmental Commission for Agriculture was established to develop and implement a consistent systematic method to coordinate Maryland's agricultural economic development and specific protocols to improve regulatory processes for agriculture and promote a business-friendly climate. The Commission recommends programs and policies that meet the State's agricultural strategy goals and could serve as the appropriate body for understanding barriers to small producers and making necessary recommendations for improving regulatory framework.

The FSRC may request that barriers of entry and expansion for small-scale producers be considered by the Commission this annual cycle.

Topic 9 - Statewide Food Residuals Diversion and Reduction Campaign

Support a statewide food residuals diversion and reduction campaign and determine how new and existing efforts are integrated, and what new initiatives might bridge efforts across the food residuals landscape such as cataloging existing efforts at the County-level (e.g., [Montgomery County food residuals reduction](#) commercials and the [Vermont library of resources](#)). Efforts could include a short-term (six months to one year) outreach on radio, TV, billboard, and streaming platforms based on existing and new content creation, supported by data collection

on best practices in educational outreach and impact of these campaigns in other localities and states.

Topic 10 - Statewide Broadband Access

The FSRC should partner with the Maryland Office of State Broadband within the Department of Housing and Community to understand limitations in broadband access and determine avenues to expand and enhance broadband assets to reduce or eliminate the number of farms and communities underserved by the current internet infrastructure where digital agriculture enhancement is not possible.

VI. Summary of Council Activities

To expand collective understanding of challenges and successes in Maryland communities, the Council engaged in various direct in-person forums and learning opportunities. This section will provide an update from the November 2022 report, highlighting the activities of the Council between November 2022 and October 2023.

A. Maryland Food System Resiliency Council & Maryland Hunger Solutions Joint Legislative Debrief

On May 4, 2023, the Council members convened in a joint session with Maryland Hunger Solutions for a legislative debriefing following the end of the legislative session. This was a facilitated review of the key bills pertaining to the food system, sustainable agriculture, and federal nutrition programs that had been proposed during the session. The Council examined the pivotal factors of each bill's passage or failure to advance.

Discussion of the 2023 Federal Farm Bill, led by Maryland Hunger Solutions, allowed the Council and the Maryland Congressional Delegation to identify their priorities, and expectations for the federal Farm Bill. Remarks were delivered by Shannon Frede on behalf of US Senator Ben Cardin and by Lucy Shaw on behalf of Congressman Jamie Raskin. Rafael Lopez, Secretary of Maryland Department of Human Services, and Rachel Jones on behalf of Kevin Atticks, Secretary of Maryland Department of Agriculture, provided considerations pertaining to Farm Bill priorities. During this forum, stakeholders exchanged valuable information from a variety of disciplines, including strategies for the next legislative session.

B. MWCOG FARM Policy Committee and Maryland Food System Resiliency Council Joint Meeting for Food Resilience

On August 11, 2023, the MWCOG FARM Policy Committee and Maryland Food System Resiliency Council held their first joint meeting in College Park. This event facilitated regional networking and advocacy of shared interests related to food resilience. Subject matter experts within the regional food system delivered presentations and engaged in question and answer sessions.

Zachari Curtis, USDA Urban Agriculture Advisory Committee Member & FARM Catalytic Opportunities Work Group member, spoke of historic inequitable policies on groups that have caused generational gaps in farming opportunities.

Michael Protas, owner of One Acre Farm, described his operations as a Community Supported Agriculture (CSA) farmer with approximately 200 participating families, and his experiences as a small farmer who has provided food assistance to those impacted by catastrophic events in the region.

Mark Scott, Critical Infrastructure Specialist with District of Columbia Homeland Security and Emergency Management Agency, and Philip J. Palin, Expert and Consultant in Supply Chain Resilience, shared research on the region's food and water supply chain resilience and strengthening public private partnerships.

Finally, Daniel Stum, VP for Learning at Maryland Food Bank, announced a new project in partnership with Maryland Department of Emergency Management to establish an early warning system indicator for stress and disruption in the supply chain. This forum proved to offer a valuable networking opportunity among advocates of food security, equity, food system resilience, and sustainable agriculture.

C. Virtual Lunch and Learn Opportunities

The Council also prioritized holding bimonthly learning sessions for Council members and wider audiences to learn about different aspects of Maryland's food system.

The Council began holding interactive "Lunch & Learn" sessions to provide learning and discussion opportunities on different topics of interest and to engage with subject matter experts in a more targeted yet casual setting. Typically, sessions are structured first with a presentation, then followed by a Q&A or facilitated discussion. These sessions have rendered gains in a deeper understanding of complex issues regarding our food system.

This year, the FSRC hosted four Lunch & Learn events with topics selected based on Council and Committee members' requests, with an initial list prioritized by the Council and additional ideas added for future scheduling. Since November 2022, the Council has sponsored the following topics:

- January: Food Distribution Resilience in Maryland presented by C&S Wholesale Grocers
- March: Resilient local food economies, and the USDA grant to support local food aggregators
- May: Baltimore County Public Schools' child hunger initiatives and the provision of universal free meals for students
- July: Overview of the Morningstar Cold Storage Infrastructure Grant Program.

January 2023: Founded in 1918 as a supplier to independent grocery stores, C&S Wholesale Grocers supplies over 100,000 different products to 7,500+ clients, varying from chain stores to military bases to institutions. Katie Murphy, Senior Manager of Business Continuity at C&S, shared expertise in supply chain management and business continuity operations. With a professional background as the Emergency Operations Center Director at New York City, Katie uses expertise to monitor threats to the supply chain, coordinate planning and response within the organization and externally with local, state, and federal government partners. C&S has coordinated responses to hurricanes, winter storms, utility incidents, and COVID-19, proving their expertise in coordinating supply chains and commercial food distribution in Maryland. Grocery stores are the anchors of community resilience and a critical resource for recovery from disruption and disaster.

Katie also discussed business continuity issues that threaten grocery/food resilience, including absenteeism, concentration of risk, high consumer demand and community lifeline dependencies (especially energy, communication, and transportation). The impact of government decisions such as school closures, transportation, SNAP/WIC benefits, and classification of essential workers also impact the food supply chain.

March 2023: Alice Chalmers, Senior Advisor to 4P Foods, presented to the Council as a local food systems expert who lends her expertise to organizations in Maryland and in the Midwest. Council members and interested parties' discussion focused on creating resilient local food networks and distribution systems, and aggregating participants to achieve synergies to help local farmers thrive. Alice founded Local Food Connection (LFC), a local food distribution company that grew to serve 4 states and is now being replicated across the South and Midwest. Alice advocates for 4P Foods in the implementation of a regional food transportation and information network and advises public and private entities of all sizes on how to rebuild regional food systems across the country.

Sun Bird Farm, based in Maryland, leverages the lessons learned from building, growing and replicating a regional aggregation and distribution operation (Local Food Connection) of locally sourced food across four states. 4P Foods is a Mid-

Atlantic benefit corporation whose mission is to build a large-scale regenerative, equitable food system that yields long-term profitability. This organization works with many growers in the mid-Atlantic region and serves as the logistic arm for the farmer and buyer. 4P gathers stores and sells farm produce and delivers weekly groceries to consumers in DC, Virginia, and Southern Maryland.

May 2023: Jamie Hetzler, Food and Nutrition Director for Baltimore County Public Schools (BCPS), presented on the efforts to provide free meals to all students in the 2023-2024 school year. Jamie conveyed a passion for developing healthy lifestyles among children to dovetail with the work of providing healthy and enjoyable meals to all students of Baltimore County. Director Hetzler has been a leader in the food and beverage industry for more than 25 years, in roles ranging from fine dining and catering to casual restaurants and special events, to contract services and K-12.

Baltimore County Public Schools (BCPS) mission is to provide fresh and nutritious meals to students while minimizing food residuals. Currently, BCPS provides meals for 111,000 students and 169 schools, which amounts to a staggering 15 million meals per school year funded by various nutrition programs. The Maryland Meals for Achievement Program funds breakfast in the classroom for 109 classrooms this year. The Fresh Fruit and Vegetable program provides such items and educational nutrition literature for 27 elementary schools. The Community Eligibility Provision provides free lunches to all enrolled students without the need for paperwork and application. While food sourced from farms is expanding, several challenges remain including funding, accommodating dietary preferences, staffing, space and equipment constraints, and USDA compliance. Food residuals prevention tactics were shared including giving students choices, and the concept of a “share table” for food diversion efforts.

July 2023: Council members received a presentation about Capital Impact Partners' Keeping It Cool Grant program (KIC) during a co-hosted session by the Metropolitan Washington Council of Governments. The grant supports cold storage infrastructure and equipment needs of businesses and nonprofits providing food-related goods and services in Washington DC and contiguous counties.

The initiative started with the founding of the Nourish DC Collaborative which seeks to develop a robust ecosystem of locally-owned food businesses in DC communities and support the local economy with job creation. The targeted neighborhoods are those underserved by grocery and food businesses, with underinvestment and poor health outcomes. In addition to financial resources, the partnership provides technical support through mentoring and further grants for access to food and quality jobs. 312 applicants requested grants and some \$12.6 million have been paid to for-profit applicants ($\frac{2}{3}$), and non-profit applicants ($\frac{1}{3}$) for such items as increased refrigeration and freezer space, energy efficiency upgrades, infrastructure upgrades, refrigerated vehicles, and payroll.

The Morningstar Foundation will continue to focus on neighborhoods most in need and encourage sustainable access to healthy food.

D. Regional Tours

In April 2023, the Council embarked on its first regional tour to Prince George's County. Local hosting operations included: Urban Farm Incubator, Purple Mountain Grown, and Compost Outpost: ECO City Farms. The Urban Farm Incubator at Watkins Regional Park is a collaboration among ECO City Farms, the Prince George's Soil Conservation District (PGSCD), Prince George's Food Equity Council (FEC) and the M-NCPPC Parks and Recreation Department. Members engaged in robust dialogue centering around the objective for this collaboration: providing county land to be used by smaller scale and/or footprint farmers, to provide access to land and resource support for beginning farmers to launch new farm-based businesses in Prince George's County using regenerative, certified naturally grown, and organically grown agricultural best practices. The Urban Farm Incubator supports multiple farmers and provides opportunities for increased support through access to common infrastructure, equipment, mentoring, and technical assistance to help launch businesses.



Purple Mountain Grown is a small farm of approximately 20 acres operated by farmers Nazirahk Amen and Amanda Heinbaugh and their family. FSRC members discussed the connection between food and health and the goal to support local food sustainability through regenerative practices. Amanda Heinbaugh explained the connections between growing food with the understanding that a healthy soil microbiome is created by compost, cover cropping, and other soil health building practices. Appointed members also had an in-depth discussion on small producer challenges related to labor constraints, land access, and basic tool sharing needs.



Finally, Council members visited the Compost Outpost operation on one of ECO City farms located in Bladensburg, MD. The Compost Outpost was possible due to the U.S. EPA Region 3 Solid Waste Management Assistance Grant awarded in the summer of 2021. At the Outpost, members observed a circular system and community partnership, as food scraps are diverted from landfills to be used to create nutrient rich compost that is used by the farms to produce locally grown vegetables and fruit for the community.



In June 2023, the FSRC members traveled across Caroline County to visit three locations to learn about their contributions to the local food systems and economies: Caroline County Public Schools Support Services, Farm to Fresh Herbs & Veggies, Caroline Culinary Arts Center, and Greensboro Elementary School.

Caroline County Public Schools Support Services provided a brief presentation and tour of the backpack food program, the ShoGo Mobile Market, and their storage/warehouse facility. Caroline County Public Schools provides children in need with backpacks filled with food every Friday, and over summer breaks to ensure children get the nourishment they need to arrive at school prepared to learn.

The ShoGo Mobile Market is a mobile distribution operation, disbursing fresh farm food products and meals to communities with limited to no access to such nutritious food. Council members toured the van and operation first introduced during a Lunch & Learn event in the year prior.



Farm to Fork Fresh Herbs & Veggies invited the Council members to an open house event introducing a family-run farming operation that has implemented new resilient farming practices as the first farm in Maryland to cultivate spirulina, a nutritious species of blue-green algae. Farm to Fork Fresh converted a chicken house into a spirulina production facility that is carbon-capturing, oxygen-producing, greenhouse gas-reducing, and climate friendly.

During the event, guided tours of the production facility allowed visitors to observe the production practices, indoor irrigation and climate control methods, and potential products for several future endeavors. The conversion of a chicken house to farming facility may be replicated for urban or rural farming, as the farm is now able to grow lush vegetables like kale, encore lettuce, basil, spinach and tower garden plugs throughout the entire year.

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From this opportunity, FSRC members can develop recommendations and initiatives for new methods for resilient farming practices across Maryland.



Greensboro Elementary School (GES) provided an overview of their dynamic initiatives to support community health, primarily through nutrition. Over the past two years, GES has demonstrated and documented a continuous effort to integrate sustainable environmental management practices, environmental education curriculum, professional development opportunities, and community engagement into the daily operations. GES has made a commitment to developing stewards of the earth and reducing the environmental impact of the school. The visit coincided with the GES Summer Camp Program's lunchtime, which allowed the Council members to see the variety of locally produced food choices for the students and learn about the



Farm to School operations. Members were also educated about the School Based Health Centers, operated throughout the year in partnership with Choptank Community Health which provides medical, dental and behavioral health services to the community.

Finally, the tour ended with an operational visit and catered lunch at Caroline Culinary Arts (CCA). CCA demonstrated how the organization provides job training, cooking classes, life skills development, and support for local farmers. The operation encompasses the Chesapeake Culinary Center & Catering, the Shore Gourmet Market, The Community Kitchen, the Farm to Table Program, and the Hospitality and Restaurant Training programs. Shore Gourmet students prepared a lunch to showcase skills and abilities in procuring and processing locally grown food, including a sampling of blue catfish, an aggressively invasive species in the Chesapeake Bay watershed which is responsible for the decline of other native species including blue crabs.

VII. Conclusion and Next Steps

The FSRC will meet regularly over the course of the next year to continue to evaluate gaps in food resilience and make policy recommendations to address those gaps, While the FSRC was not able to fully discuss all the ideas from members and stakeholders, staff did capture many of the key conversations that will be placed on next year's agenda. Topics identified for discussion in the coming year include how to develop effective policy recommendations to drive information sharing across the food system, harness data and funding opportunities available at the State and federal levels, and increase local food production while adapting to climate change impacts.

The Council is also excited to announce that the University of Maryland Extension has agreed to support a new Food System Federal Funding Working Group in the coming year, devoting its own resources to documenting existing federal funding received by Maryland's state and local government, and future funding opportunities for local food resiliency initiatives. The Council thanks the University for this support and looks forward to increasing success in bringing federal funding to Maryland in support of food system resilience.

VIII. Appendix A - Council Membership

Organization	Name
Maryland Department of Emergency Management (FSRC Co-Chair)	Russell Strickland <i>Secretary</i>
Food Council Member (FSRC Co-Chair)	Heather Bruskin <i>Director</i> <i>Office of Food Systems Resilience</i> <i>Montgomery County</i>
Maryland State Senate	Katie Fry Hester
Maryland House of Delegates	Lorig Charkoudian
Maryland Department of Human Services (FSRC Co-Vice Chair)	Mischelle A. Williams
Maryland Department of Agriculture (FSRC Co-Vice Chair)	Mark Powell
University of Maryland College of Agriculture and Natural Resources (FSRC Co-Vice Chair)	Stephanie Lansing
Maryland Farm Bureau	Mike Scheffel <i>Montgomery County</i> <i>Department of Agriculture</i>
Maryland Agricultural & Resource-Based Industry Development Corporation	Stephen McHenry
Maryland Department of Commerce	Allyson Redpath <i>Director, Entrepreneurship</i>
Food Council Member	Julia Groenfeldt <i>Prince George's County</i> <i>Food Equity Council</i>
Food Council Member	Lee H. Babcock <i>Frederick County Food Council</i>
Food Council Member	Theresa Stahl <i>Western Maryland Food Council</i>

Food Council Member	Michelle Caruso <i>Montgomery Council Food Council</i>
University of Maryland Extension Maryland SNAP Ed	Lisa Lachenmayr
University of Maryland Eastern Shore Small Farm Program	Berran Rogers
Harry R. Hughes Center for Agro-Ecology	Nancy Nunn
Public School System	Beth Brewster <i>Caroline County Public Schools</i>
Statewide food insecurity advocacy organization	Michael J. Wilson <i>Maryland Hunger Solutions</i>
Food business owner	Heather Buritsch <i>Headwaters Grille (Talbot County)</i>
Food business owner	Jon Class <i>Class Produce</i>
Food system policy expert	Grace Leatherman <i>Future Harvest</i>
Racial equity in food system policy expert	Diana Taylor <i>Anne Arundel County Partnership for Children and Families</i>
Food system policy expert	Anne Palmer <i>Johns Hopkins Center for a Livable Future</i>
Food system policy expert	Lindsay Adams <i>Baltimore City Food Policy and Planning</i>
Food system impacts on climate change and environment expert	Chloë Waterman <i>Friends of the Earth</i>

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Food nutrition and public health expert	Daphene Altema-Johnson <i>Johns Hopkins Center for a Livable Future</i>
University of Maryland Eastern Shore Extension	Moses T. Kairo
Maryland State Department of Education	Leslie Sessom-Parks
Maryland Department of General Services	Mike Myers
Maryland Food Bank	Meg Kimmel
Capital Area Food Bank	Adam LaRose
Maryland Department of Environment (<i>Ex officio</i>)	Shannon McDonald <i>Land and Materials Administration</i>