

MICHIGAN COMMISSION OF AGRICULTURE

Michigan Municipal League Capitol Office
Conference Room
208 N. Capitol Avenue, 1st Floor
Lansing, Michigan

MEETING MINUTES JUNE 16, 2010

PRESENT:

Todd Regis, Chairperson, Michigan Commission of Agriculture
Don Coe, Vice Chairperson, Michigan Commission of Agriculture
Velmar Green, Secretary, Michigan Commission of Agriculture
Jennifer Fike, Michigan Commission of Agriculture
Audrey Herioux, Michigan Commission of Agriculture
Don Koivisto, Director, Michigan Department of Agriculture

CALL TO ORDER AND ROLL CALL

Chairperson Regis called the meeting of the Commission of Agriculture to order at 11:00 a.m. on June 16, 2010. Commissioner Green called the roll with Commissioners Coe, Fike, Green, Herioux, Regis, and Chief Deputy Director Wenk present. Director Koivisto joined the meeting at 11:15 a.m.

APPROVAL OF AGENDA

MOTION: COMMISSIONER COE MOVED TO APPROVE THE MEETING AGENDA FOR JUNE 16, 2010. SECONDED BY COMMISSIONER GREEN. MOTION CARRIED.

APPROVAL OF APRIL 14, 2010, AND MAY 19, 2010, MEETING MINUTES

MOTION: COMMISSIONER GREEN MOVED TO APPROVE THE APRIL 14, 2010, AND MAY 19, 2010, MEETING MINUTES. SECONDED BY COMMISSIONER HERIOUX. MOTION CARRIED.

NEXT SCHEDULED MEETING

The next scheduled meeting will be held on July 20, at the Geagley Laboratory, 1615 S. Harrison Road, East Lansing. It will follow the Ag Expo Breakfast event being held at Michigan State University (MSU) that morning.

PROPOSED 2010 MEETING SCHEDULE

Commissioner Regis advised the joint meeting scheduled with the Natural Resources Commission (NRC) will be held in Escanaba from 2:00-4:00 p.m. on Thursday, August 12, 2010. It was proposed to hold the regular August Michigan Commission of Agriculture meeting in Escanaba from 3:00-5:00 p.m. on Wednesday, August 11, 2010.

MOTION: COMMISSIONER FIKE MOVED TO APPROVE THE CHANGE IN THE PROPOSED 2010 MEETING SCHEDULE TO ADD AUGUST 11, 2010, AS A REGULAR MEETING DATE. SECONDED BY COMMISSIONER GREEN. MOTION CARRIED.

COMMISSIONERS' TRAVEL

Commissioners Coe, Fike, Green, Herioux, and Regis traveled to Traverse City for the special Commission events held there on May 12 and 13. Commissioners Coe, Fike, and Herioux traveled to attend today's meeting. There was no other travel submitted for approval.

MOTION: COMMISSIONER FIKE MOVED TO APPROVE THE COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER COE. MOTION CARRIED.

COMMISSIONER COMMENTS:

Commissioner Fike attended the National Farm to Cafeteria Conference in Detroit May 17-19, which was sponsored by the Community Foods Security Coalition, with the Food System Economic Partnership serving as local host for the conference. Over 700 people benefited from the conference and its wide range of field trips and events, with the keynote address being given by U.S. Department of Agriculture (USDA) Under Secretary Kathleen Merrigan. Commissioner Fike also attended the Ann Arbor-Ypsilanti Chamber of Commerce breakfast this morning, speaking about local food and how it impacts our economy. She plans to attend the June 24 Fifth Annual Food System Economic Partnership Conference at the Jackson Career Center. She also will be attending the June 26 "Breakfast on the Farm" event in Washtenaw County.

Commissioner Coe attended a number of conferences recently, including the May 18 Grand Traverse Leadership Seminar, which included a focus on agriculture contributions to the economic activity in the northwest Lower Michigan area. He reported at the July 9 Michigan Liquor Commission special hearing in Farmington Hills on the state of the business created a number of years ago for small Michigan distillers producing Michigan-based agriculture products. On June 13, the first annual Traverse City Colantha Walker Dairy Festival was held in honor of Traverse City's Colantha Walker being the 1926 world champion producer of milk. The event was extremely successful and was a wonderful tribute to production agriculture in Michigan.

Members of the farming community who spoke with the Commission during their recent visit to the area appreciated that opportunity and were very pleased the Commission was able to experience the cherry industry. Recent reports indicate the industry has lost 70 percent of the tart cherries and a considerable portion of the sweet cherries due to early frost conditions. There also has been an impact on the apple crop, with the Macintosh variety being affected by something that is killing the trees. He advised the early frost did not affect the grape and wine industry.

Commissioner Herioux has been receiving minutes from the Dickenson County Soil Conservation meetings. She fielded a request from Forsythe Township in Marquette County regarding a zoning issue pertaining to the Right to Farm (RTF) Act, for which she

received an appreciation note recognizing the quick response received from the Michigan Department of Agriculture's (MDA's) Wayne Whitman. On June 3, she attended the Delta County Soil Conservation District Board meeting; and recently, attended an interesting candidate evaluation interview for the First Congressional U.S. District, the 38th State Senate District, and the 108th, 109th, and 110th State House of Representatives Districts. On June 12, there was a dedication for a Campbell's Soup Barn Restoration Designation in the Upper Peninsula (UP), which was one of only five awarded in the nation. Campbell's \$5,000 donation, as well as many local donations, allowed for restoration of the barn in only three days.

Commissioner Green thanked Commissioner Coe for hosting the Commission for their tour in the Traverse City area in May, noting it was beneficial to learn what is happening in that segment of the agriculture industry. Production agriculture is currently varying, with some areas being affected by wet weather. Michigan Milk Producers Association is hosting an Open House in Ovid on June 30 and Commissioners are welcome to attend. He has recently been educating a political candidate in his area regarding production agriculture.

Commissioner Regis thanked the Commissioners for their participation in the May 12-13 events in the Traverse City area, which were most beneficial to everyone. He spoke at the National Farm to Cafeteria Conference on May 19. The Food Policy Council met last week, during which it was reported improved timelines for food stamp distribution should be implemented by October 1, 2010. There are two upcoming "Breakfast on the Farm" events, the first is June 19 in Pewamo, and the second on June 26 in Manchester; details can be found at www.breakfastonthefarm.com.

DIRECTOR'S REPORT

Director Koivisto advised distribution of the "Director's Notes" email messages has been expanded. He invited anyone wanting to receive brief, periodic updates regarding agriculture and the department to advise him at koivistod@michigan.gov.

The department continues work on the migrant and seasonal farmworker program. A meeting on this topic, to be held later this month, will also include Michigan Farm Bureau.

He recognized Chief Deputy Director Wenk for his efforts in providing a detailed response on the Michigan Good Food Charter. He is the point person on this project and any additional comments can be forwarded directly to him.

Mr. Wenk is also facilitating the development of MDA's Customer Service Center and provided an update on the project. Mr. Wenk noted MDA prides itself on its customer service and has received outstanding feedback in that regard. With closure of the department's Regional Offices due to budget constraints, we lost a large segment of our ability to maintain that outreach and convenience for our customers. To address those issues and avoid use of voicemail messages, a Customer Service Center is being developed in Lansing to provide live first-point-of-contact assistance to callers in an effective, efficient manner, and continue our premium customer service. The Center should be operational by the end of this month, will be continually evaluated, and

adjustments made as needed. The main department number serviced by the Center is 800.292.3939.

DIRECTOR'S TRAVEL

Director Koivisto has no out-of-state travel planned in the near future.

EXPORTER OF THE YEAR AWARD: Jamie Zmitko-Somers, International Marketing Manager, Agriculture Development Office

Ms. Zmitko-Somers noted today, we are recognizing our 2009 Exporter of the Year, Zeeland Farm Services, Inc. Exports are extremely important for Michigan, as the state's agricultural exports generated \$1.68 billion during 2008 and currently employ about 19,000 people. This year's recipient, just as those in previous years, exemplifies Michigan's agricultural diversity and highlights that over one-third of our state's agricultural commodities are exported every year.

Director Koivisto presented the 2009 Michigan Agriculture Exporter of the Year award to Zeeland Farm Services, noting the Lt. Governor recognized them in a ceremony earlier today. Producing premium soy products, Zeeland Farm Services has been a family owned operation for over 55 years and began exporting in 2001. They have proven their ability to provide high quality products to their international customers in the global market.

Mr. Cliff Meeuwsen, president of Zeeland Farm Services (ZFS), thanked the department and the Commission for their support and representation of the agriculture industry, and with great pleasure, accepted the Exporter of the Year award. ZFS has enjoyed steady growth in its export business, now more than \$16 million per year. They export to Japan, South Korea, Vietnam, Taiwan, Indonesia, Malaysia, Philippines, Fiji Islands, Guatemala, Ecuador, China, Canada, Mexico, and are trying to open the door in Europe. ZFS strives to improve Michigan's economy through providing jobs and growing its business in the state. The most important aspect of ZFS is its people – a team that is dedicated to export and concentrates on the critical issues involved. Michigan helps to feed the world, and we should all be proud of that fact. Many great opportunities lie ahead as we work together in this state.

In response to question from Commissioner Regis, Mr. Meeuwsen advised that Ms. Zmitko-Somers was very instrumental in helping to develop ZFS's export business. Commissioner Coe emphasized how important the department's export assistance is to businesses as they work through the many difficult issues involved in developing overseas customers; and, it is unfortunate that MDA – and actually, the state – has only one export specialist to provide that assistance.

MOTION: COMMISSIONER COE MOVED APPROVAL OF THE RESOLUTION RECOGNIZING ZEELAND FARM SERVICES, INC., AS THE 2009 MICHIGAN AGRICULTURE EXPORTER OF THE YEAR. SECONDED BY COMMISSIONER GREEN. MOTION CARRIED.

Commissioner Green inquired if opportunities exist to verify farmers for carbon credit trading worldwide, rather than being limited to the Chicago Climate Exchange. Director

Koivisto advised Mr. Steve Shine, in the Environmental Stewardship Division, is the department's resource person in that regard and could research that potential.

PUBLIC COMMENT (MALBURG FARMS LIVESTOCK FACILITY SITE SUITABILITY DETERMINATION ONLY)

Commissioner Regis reminded those requesting to address the Commission today are allowed up to three minutes for their presentation and that any documents distributed will be considered public documents and are subject to provisions of the Freedom of Information Act. The public comment time provides the public an opportunity to speak; the Commission will not necessarily respond to the public comment.

Ms. Nancy Holladay, Hart Michigan, said, "My nephew built a Concentrated Animal Feeding Operation (CAFO) and had to follow strict regulations. When digging the pit for his barn, MDA had an inspector there at all times to ensure he did not reach the water table. He was not able to place a tile within 15 feet of the facility and it was inspected several times while under construction, and prior to animals being placed. We don't understand why some people have to follow regulations of the Generally Accepted Agriculture Management Practices (GAAMPs) and others do not. The Malburg facility is being built on very wet land, land with a flowing well, several springs, and a high water table. When the pit was being dug at the Malburg site, to my knowledge, there were no inspectors present. When the tiling contractor was tiling the field, Mr. Malburg asked him to put a tile under the facility to drain the pit; the contractor refused; and Mr. Malburg has since hired other people to put a tile under the facility. This tile drains into the catch basin in the middle of the field, into a tile in the pond, and out into the Walden drain, which flows through our property and into the south branch of the Pentwater River, into Hart Lake, Pentwater Lake, and on to Lake Michigan. Malburg's facility is located within one-half mile of my son's residential home, whose well is only 48 feet deep. We are concerned that by this facility being so close, if not in the water table and with all of the springs and flowing wells near the facility, they are likely to contaminate my son's well."

Mr. Ken Greiner, Hart Michigan, said, "This site has been one mistake covering another mistake from the beginning and does not know why it was not brought to the township board to obtain verification to build this facility, rather than going directly to the State and people not acquainted with the land. He owns land next to the Malburg site. He has written letters advising of issues with this property that need to be addressed; each time, they attempt to make renovations to correct, such as fill sand and running tile lines. What is most sad is the setback. The setback in the GAAMP is 500-600 feet. In this instance, the State came out and, in unspoken words, advised the property was not acceptable. The State moved the location to a higher hill, within 100 feet of my property, which is outside of GAAMP setback standards. An article provided to him by Mr. and Mrs. Kunkle states one of the issues regarding this problem is that in the future, arrangements need to be made so that this does not happen. But, there were setbacks in place. Is this going to take my family's right to farm away? Say in the future, my son were to put in a hog operation within 100 foot of the property line, will he be able to do that? If not, my right to farm has been taken away. Additionally, if they allow the setbacks to be moved in any amount they want, would they have allowed ten feet? They are moving it simply to move it somewhere. If this stands, the zoning boards will be in for a big adjustment. For instance, if someone wants to put in wind turbines, could they

put them within 100 feet, even though it is supposed to be 800 feet? Can they do that because they are wind farms and could be involved in the Right to Farm Act also?"

Mr. Leon Alvesteffer, Hart Michigan, said, "I am the property owner to the eastside of this facility. My 80 acres has been in my family for 77 years and I have worked the farm for 58 years; doing all this so I could build a new home on our land. I have worked all these years, just to have my rights taken away by MDA to benefit Malburg's facility, because they do not have enough suitable land of their own. I have been hunting this land since a small boy, and I now cannot hunt a portion of my own land because another State law mandates I cannot hunt within 450 feet of an occupied building. So the MDA has taken away yet another right of mine. Where are my rights? As you know, airborne respiratory disease is a major problem in hogs. I have hogs on my 80-acre farm and I now have to worry that my hogs will get diseases being carried in by Malburg's hogs, all because of MDA's reckless disregard for the 600 foot GAAMP setback rule. If the 600 foot setback were put in place to protect neighboring farms, why isn't my Right to Farm being protected? Since the site approval of the Malburg facility located at 5130 North 104rd Avenue, Hart, Michigan, Malburg put in new tile lines under the current building location which run in a direct line to our 80 acres. New tiles lines run directly into the county drain a short distance away. We believe this is clear intent to discharge into our watershed. If there is a failure in his concrete containment structure, massive amounts of manure will be discharged. The containment structure holds approximately 2 million pounds of manure per one foot of depth, with 20 million pounds at full capacity. Malburg and I installed that joint tile system years ago and part of that line is under that building and drains to my property and the county drain. The tile lines installed expedite discharge. EPA estimates that pathogens, such as e-coli, are responsible for 35 percent of the nation's impaired river and stream miles. Sources state that CAFOs are among the most common pathogen sources. Another major concern is the planting of crops for human consumption on my 80 acres adjoined to this site. I would like to know if studies have been conducted concerning affects of six large fans, used for ventilation blowing only 100 feet from my property line having potential bacteria, viruses, and parasites, on farm workers and crops used for human consumption. Is the MDA going to be responsible for the potential sickness that could happen because MDA violated a 600 foot GAAMP setback and allowed this facility to be built on an inappropriate location? I ask you to revise your approval of this location."

Ms. Lori Green, Hart Michigan, said, "According to the 2000 census, there were 607 housing units in Weare Township; and, according to the U.S. Census Bureau, the township has a total area of 36.1 square miles. Simple division equates to 16.8 housing units per square mile. I mention this because it demonstrates plenty of residences are scattered throughout the agricultural areas, hence the zoning designation of agricultural/residential given to the area of question here today. This issue makes us wonder, should we remove agriculture from the agricultural/residential district, making it simply residential? According to the response to public comment received for the 2010 draft versions of the Manure Management and Utilization GAAMP and the Site Selection and Odor Control for New and Expanding Livestock Production Facilities GAAMP residing on MDA's own website, the purpose of the Michigan Right to Farm Act is to define certain farm uses, operations, practices, and products. Furthermore, the law directs MDA to determine when a farm meets GAAMPs, but does not provide the

authority for MDA to enforce them. How is it then, that GAAMPs can be twisted and morphed in such a way as to use certain ordinances that do have legal authority by the Michigan Zoning Enabling Act? I was born in Oceana County and have lived in Weare Township for the past 24 years. I teach eighth grade science, participate in local government, and assist my husband with our own farm. My father has turned his idea of a self-propelled rider to pick asparagus into a small fabrication business. I have a personal investment in the continued co-existence of agriculture and residential living. If we continue to use sentences from the small print, such as, "may be reduced or increased, based on the odor management plan," to alter the GAAMPs without reasonable explanation, I fear that our friendly neighborhoods will become a thing of the past. Furthermore, even as additional intensive livestock operations come into existence, earlier unknown affects on nearby residents are being discovered. I reference a scientific study titled, "Airborne Multi-Drug Resistant Bacteria Isolated from a Concentrated Swine Feeding Operation" published by the National Institute for Environmental Health. Which of us here today is willing to take responsibility for potential public health issues? In summary, one gets the distinct notion that the Right to Farm Act is being used as a tool to discourage residential life. This can only lead to an erosion of an area's tax base and all of the amenities a well-rounded economy can provide its residents, including farmers. It is this apparent power grab that I believe will one day cause agriculture to lose the respect that farmers have enjoyed for so long. Please, let us abide by the reasonable rules that are actually in existence today."

In response to question from Commissioner Regis, Ms. Green advised she did not have a copy of the article she referenced with her today, but said it is available on the National Institute of Health Sciences website.

Mr. Warren Studer, Hart Michigan, said, "The parcel of land approved by MDA for Site Verification of Mr. Malburg's CAFO is directly in an area of natural springs and ponds. It is the primary drainage for an entire section to the north and east. During the flood of September 11, 1986, nearly twelve inches of rain fell on this area over the course of two days. The site where the CAFO is being built was completely inundated. Dartmouth University classified this rainfall event as a more than 20, but less than 100-year event. Since the flood occurred almost 25 years ago, one would expect a similar event during the life of this CAFO. Since on a number of occasions we have made the State aware of these problems, who is going to be responsible when as much as 1.8 million gallons of manure washes into the Pentwater River Watershed? The CAFO owner is a limited liability company and Weare Township and Oceana County do not have assets to affect a cleanup. Will the State of Michigan stand mute and powerless when jewels such as the Hart and Pentwater Lakes are destroyed? Now is the time to correct this problem. The Site Selection needs to be overturned so that this situation will never occur. MDA's actions during this Site Selection process are in conflict with a broad range of laws, including the U.S. and Michigan State Constitutions and have violated the right of due process of Weare Township and many of its citizens. Weare Township zoning was not considered in the Site Verification process. This is in conflict with the Michigan Zoning Enabling Act of 2006 and the Michigan Planning Enabling Act of 2008. This is also in conflict with the 2010 Michigan Township Association Policy Platform of requiring CAFOs to meet regulatory oversight at local levels. MDA's actions in determining the setback of 100 feet is even in conflict with the very GAAMPs that are required by the

Right to Farm Act. It would appear that MDA's decision is also in conflict with the Right to Farm Act and that MDA has not complied with the Michigan Administrative Procedures Act. Further, MDA has not complied with the due process clauses of the State and U.S. Constitutions, and the fair and just treatment clause of the State Constitution. It appears that MDA has made a reduction in setback to squeeze in a facility of this size on a piece of land that has many obstacles to work around – a piece of land that is basically two sizes too small for the guidelines that are in place to be followed. This site and/or suitability needs to be reviewed by more than those apparently overseeing that project. Destruction of natural resources is taking place and is not only going to affect the neighborhood, but will affect many other people along the watershed. Making a piece of land to suit while inflicting on others is not the same as a piece of land that is suitable.”

Ms. Linda Dykema, Weare Township, said, “We live in a farming community, but there are not just farmers in our community, as was stated earlier. I totally agree the farmers have a right to farm; they are hard workers, just like everybody else in our community. But, what concerns me is that this facility is near a populated area in our township; and I am also concerned about the citizens of our township, their quality of life, and their land values. If this goes through, I am concerned about the future of our Township Zoning Commission, because our zoning is being bypassed and ignored. I am concerned that in the future, our township will have no say about what comes into our township, or any other events that may happen. This is a big concern.”

Mr. Donald Kunkle, Hart, Michigan, said, “In my documents previously provided to the department and the Commission, I talked about the soil content of this particular parcel; and the panel of experts never addressed the soil content. The parcel of land approved by MDA for Site Verification for Mr. Malburg's CAFO could not have been a poorer choice. It should have never been considered as a viable site for a CAFO of this size. I believe the CAFO owner did not use due diligence in siting this CAFO. Because of the existence of both arkona and bono soil types on this property, the CAFO owner has had to install the tile systems discussed earlier. Most of these tile systems empty into the county drain that runs across the north one-third of the property from east to west. This would allow any surface manure spillage to leak into a direct conduit to the waters of the State of Michigan, and it is in my opinion that this situation should be deemed under the Federal Clean Water Act as a clear intent to discharge, thus disallowing any National Pollutant Discharge Elimination System (NPDES) Permit for this site. Further, knowing the existence of bono soil type on this property should have led the MDA to disapprove the site for verification. In fact, the original plan to site the CAFO on the center of the property failed, because two of the five soil samples for that particular location failed. The present site still shows presence of bono and what we call marl pits in Oceana County. This was pointed out to the MDA representative when they came to Hart the end of May. As a result, workers at the site spent the next two days excavating the very places that were identified as being problem areas, excavating many yards, I would estimate over 100 yards, in each of the two locations that were identified. They excavated up the marl and backfilled with sand. The Michigan State Soil Book states that bono soil type is generally unsuited for building site development and should not be used in sites that are constructed below grade. The current building site is directly over a pond that existed before the drain system was installed. How many other bono and

marl pockets have not been identified under the current building site? Marl pits in this area can go as deep as 60 feet. A marl pit is typically 2-4 feet of nothing but clay that is a liquid until it dries out; and because of the water content below the surface, it never does dry out, it remains spongy. Mr. Alvesteffer has places on his land, Mr. Greiner has places on his land, and I know there are places on Mr. Malburg's land where you can take a pipe and push it down with your hand – Mr. Alvesteffer showed me he could push a pipe down 25 feet with his hand. Once he breaks the root section of the vegetation, it is nothing but straight down to the water table, which is in this case 60 feet down. Missing just one of these pits could cause a catastrophic failure of a containment building and a huge discharge of manure into the Michigan waters. The discharge of which would be made worse because of the existence of drain tiles. In addition to the problems with the soil, it should have never been considered because of the Type III well that is on that land. I know the panel of experts says that they are going to move the well; but, they originally were going to put this building in the center, which is about 300 feet from that well. Now they have placed it where it is 675 feet from the well. There is virtually no place they can put that well that I can see, because there is standing water to the northwest, there is a county drain, and they will have a real problem with it. The well has still not been moved. The GAAMP says that you shall not put a building of this size within 800 feet of a Type III well, and it was approved within 675 feet.” He submitted for Commission review photographs of the Malburg site. In response to inquiry from Commissioner Regis, Mr. Kunkle confirmed the pictures were taken during May and June of this year.

Dave Frederick, Montague, Michigan, said, “Unlike the previous presenters, I am not directly affected by the Malburg CAFO. I am specifically here to speak about the term “nuisance.” I live in a wooded area about one quarter mile from Lake Michigan and there are no CAFOs where I live; but, farmlands occupy lands just to the east. There are times during the year when liquid manure is spread on the fields, less than a mile from our home. When this happens and the winds are from the east, we shut our windows to avoid the odors. This happens infrequently, so it is a minimal nuisance. The farmers are our neighbors and I recognize they were there first. Nevertheless, this experience makes it easy for me to relate to the much greater offense of odors that Mr. Don Kunkle and his neighbors will have to endure if Mr. Malburg is allowed to continue with his plans. I recently began reading the Right to the Farm Act and the Generally Accepted Agriculture Management Practices. One of the first things I read was that the purpose of the Act was to, “provide farmers with protection from nuisance lawsuits.” My reaction was that something is really out of whack here. A CAFO operator really is not a farmer in the traditional sense at all, and can only be called one if the definition of “farmer” is distorted. These people are protected from their neighbors’ legal complaints about noxious odors and polluted waters. Thus, these people’s complaints are determined to be a nuisance; but, the visitation of unhealthy gases and polluted waters upon the community are not a nuisance. I am personally getting involved in this matter because this is an environmental issue; and, because to an even greater extent, it is a human rights and social justice issue. I know that you as a Commission did not write the regulations to control CAFOs. It is, however, quite obvious to me that the rules were written to favor CAFO operators. At this time, it appears all you can be asked to do is make sure that Mr. Malburg complies with GAAMP regulations and with all of the filing and reporting requirements within a specified time period. Justice for Mr. Malburg’s

neighbors would be best served by strict, not lax, application of existing regulations. Recently in the Gulf of Mexico, we have seen what can happen when lax oversight is combined with minimal compliance. I asked that you not let this happen in Oceana County.”

Tonia Ritter and Scott Piggott, Michigan Farm Bureau, said, “Michigan Farm Bureau (MFB) supports affirmation of MDA’s determination of conformance with the GAAMP for Site Selection and Odor Control for New and Expanding Livestock Production Facilities that has been determined for the Malburg livestock farm by the Director of MDA and on which you will be taking action today.

We believe the Michigan Right to Farm Act is the model for our country and supports the Act as the primary vehicle to address environmental issues on farms. We encourage all farms to follow the Act and the GAAMPs. We believe that Mr. Malburg has worked diligently to meet conformance requirements for the siting of a new livestock facility and support the confirmation that he has earned Right to Farm nuisance protection for his new farming operation. This work is in addition to successfully obtaining National Pollutant Discharge Elimination System (NPDES) permit coverage from the Michigan Department of Natural Resources and Environment (MDNRE).

Animal agriculture is definitely an important contributor to Michigan’s agricultural economy. The livestock industry has the potential to make an even larger contribution. According to a report from the department, *the Right to Farm Program 2009 Fiscal Year Report*, “Since June 2009, the Site Selection GAAMP has been utilized by over 250 producers in selecting the best site to construct a new facility or expand their existing facility. In fiscal year 2009, over \$43.5 million was invested in the construction of new and expanding facilities at livestock and poultry farms across Michigan.”

Growth of this important sector of Michigan agriculture is dependent on the ability of farmers to make investment in Michigan and hire employees upon meeting applicable standards. Having the confidence that we have standards and once met, individuals can proceed with the building of their farming operation and the economic activity in this state. We think MDA performed comprehensive work in their initial review of the Siting Request for Malburg Farms and appreciate the work of the review panel that was initiated by the Siting GAAMP process. We support the efforts of Mr. Malburg and other farmers who choose to grow their farms in Michigan in conformance with Right to Farm guidelines and in compliance with applicable state laws. We encourage the Director to support the Siting Verification of Mr. Malburg’s facility and look forward to the action the Commission will be taking today.”

Mr. Fred H. Walcott, Valley View Pork, said, “My family and I operate Valley View Pork on the Oceana/Newaygo County line. We have nine contract finisher operations. Every one has gone through this process where the neighbors find a level of unacceptability with modern agriculture. I can assure you, I am in the barns on a regular basis, and the ones already in operation for us today are working rather successfully. The pictures going around – I am glad they were here today, because that is exactly the type of environment we fully intend to protect with a modern-designed agricultural facility. I can only speak for my farm, the way we operate things, and our success and the way

Malburg's operates the barn they currently have, which has been very successful. I am hoping you will have questions for me."

In response to inquiry from Commissioner Coe, Mr. Walcott said, "We have residences within 500 feet of some of our operations, residences across the street from some operations, and we have many neighbors near and far to our 10,000 sow unit. We have neighboring property within 100 feet of some of our barns. We allow for eight and one-half square feet for each pig in the barn and we built a modern agriculture facility that is easy to handle. The Malburg's have the land base to handle the manure produced and the efficiencies of size make it the most efficient operation to build." In response to question from Commissioner Regis, Mr. Walcott confirmed his neighboring residents were not affiliated with his operations.

Mr. Walcott thanked the department's Right to Farm staff, including Steve Mahoney and Wayne Whitman for walking him through the process. It has worked on the other contract finishers he has, it has worked on the 250 farms that have been built, and it is definitely a nationally recognized program that provides leadership for keeping agriculture viable in Michigan and expanding Michigan agriculture.

Ms. Laura Alvesteffer, Hesperia, Michigan, said, "I would like to pose a few questions to the Commissioners. Would you want an 80x400 foot building put up 100 feet from your property line with 4,000 hogs put in it? And in a location that was premature, since there may have been a more suitable place for that to be placed? And also on a location that was poorly advised? And, also reducing the options and value for your land that adjoins that? I personally would like to know if you would be comfortable with that situation being placed 100 feet from your property line, because we just don't feel that is fair. We think the 600 foot setback was put in place for a reason. It was based on sound science and the fact it has been adjusted to 100 feet is just way beyond something we thought would ever be acceptable." In response to inquiry from Director Koivisto, Ms. Alvesteffer said, "Our property line is within 100 feet directly to the east of that location. We have to really be concerned with the runoff coming from that barn onto our property. The site property has now been elevated to a certain extent and all that water is going to run downhill to us. Our house and barns are within the 80 acres adjacent to the site property."

In response to question from Commissioner Regis, Ms. Alvesteffer confirmed they are directly east of the Malburg property, and Mr. Greiner advised he is directly south.

REVIEW OF SITING SUITABILITY DETERMINATION – MALBURG FARMS LIVESTOCK FACILITY: Jim Johnson, Director, and Michelle Crook, Environmental Engineering Licensed Specialist, Environmental Stewardship Division; and Professor Wendy Powers, Site Selection and Manure Task Force Chair and Siting Review Committee Member

Mr. Johnson clarified the Commission's task today is to make a recommendation to the Director regarding the Malburg Farms Livestock Siting Suitability Determination. The GAAMP indicates the Commission may either affirm the decision made by staff as a result of their evaluation of this particular Siting Verification Request, or ask for a re-evaluation of that determination. He recognized and thanked the members of the Review Panel for their time and effort in review this siting, including Dr. Wendy Powers,

Michigan State University Department of Animal Science and Chair of the Site Selection GAAMP; Mr. Steve Davis, State Engineer, United States Department of Agriculture Natural Resources Conservation Service; and Mr. David Bertram, Michigan Townships Association. He also thanked Ms. Michelle Crook, who facilitated the review process, and Mr. Brad Deacon, Administrative Law Coordinator for MDA, who assisted in the legal aspects.

The Site Selection process is provided for under the GAAMP for Site Selection and Odor Control for New and Expanding Livestock Production Facilities. Following application for Siting Verification and a Siting Request Review, MDA will determine if the Siting Request is in conformance with the GAAMP and will conduct preliminary site visits to address conformance with plan components, identify areas of concern, and verify information. If approved, the proposed facility submits design plans for the manure storage structures, an odor management plan, and a manure management system plan for approval by MDA, who conducts several site inspections as needed, including a final inspection, preferably prior to animal population, to assure conformance. The Malburgs are in the first of the two steps of this GAAMP process, which is the review and approval to begin construction phase. The second stage involves a review of the actual construction and final review of the operation to ensure conformance, which would then be followed by granting of GAAMP approval.

If either the owner of the proposed livestock production facility, any surrounding neighbor within one mile, or the local unit of government disagrees with the Site Suitability Determination, they may request MDA's decision be reviewed by the Michigan Commission of Agriculture within 60 days of the date the determination is issued. MDA then reviews the supporting documentation and consults with at least three recognized professionals in the siting and management of livestock production facilities and odor control practices to further evaluate the proposed Siting Request. The professionals review and report a recommendation for a response to the requested review to the Commission of Agriculture within 60 days of receipt of the written review request. The Commission will recommend to the MDA Director whether to affirm or re-evaluate the Site Suitability Determination. The final decision rests with the Director.

Ms. Crook advised MDA received an application requesting a Site Suitability Determination under the GAAMP for Site Selection and Odor Control for New and Expanding Livestock Production Facilities from Malburg Farms on January 25, 2010. The project proposed the construction of a new 1,600 animal unit swine facility located at 5130 104th Avenue, Oceana County, Hart, Michigan. The initial application contained the manure management system plan, the site plan, and the odor management plan. After receiving the required information and conducting a site inspection, engineering plans submitted to the department were approved, and MDA staff approved the site on March 29, 2010. The site had targeted construction dates from April 1 through August 31, 2010.

In accordance with the GAAMP, the township and several neighbors located within one mile of the proposed facility requested that the Michigan Commission of Agriculture review the decision made by MDA. MDA received review requests from Weare Township, Leon and Laura Alvesteffer, Donald Kunkle, Roberta S. (Malburg) Dennert,

and Kenneth and Barbara Greiner. All five review requests were received within the 60-day period allotted by the GAAMP and contained supporting documentation. Various concerns were expressed, including property line setbacks, proximity of the manure storage structure to a public drinking water well, local township zoning and applicability of a special use permit, presence of wetlands on the site, increased runoff onto neighboring properties, possibility of manure being released into tile lines, whether the structure is located within a 25-year flood plain, and issuance of the NPDES Permit.

As outlined in the GAAMP, the following recognized professionals were assembled to review the information and further evaluate the proposed Siting Verification Determination request: Dr. Wendy Powers, Michigan State University Department of Animal Science and Chair of the Site Selection GAAMP; Steve Davis, P.E., United States Department of Agriculture Natural Resources Conservation Service, State Engineer; and David Bertram, Michigan Townships Association. In addition, Brad Deacon, Administrative Law Coordinator for MDA, was consulted regarding issues concerning township zoning and Right to Farm.

A site visit was made on May 19, 2010, during which time the entire site was excavated, providing for an ultimate soil investigation of the site. With all background and documentation available, the committee met to discuss the Siting Verification Determination and make their recommendation on June 7, 2010.

Dr. Powers advised the Review Panel considered all supporting documentation included in all correspondence, comments submitted to the Commission, producer's application, and the current version of the Siting GAAMP. The panel addressed the concerns that were raised in the documentation provided.

Relative to the 100-foot setback distance, the Review Panel noted the Siting Verification was acceptable within the current language in the Siting GAAMP. However, for future Siting Verification Determinations, they recommend MDA follow a more narrow interpretation of the property line setback discretion afforded by the GAAMP; and, further, that the Siting GAAMP be reviewed and revised to clarify the degree of discretion intended.

Malburg Farms has applied for and received a permit to install a new Type III well to serve the migrant labor camp that will meet the 800 foot isolation distance. It must be in place and operational and the old well decommissioned prior to final verification.

The panel found that Weare Township had not presented standards different than those contained within the GAAMP to the Director of MDA for approval.

Based on the site visit by Mr. Davis from USDA on May 19, 2010, there was no evidence of wetlands present on that site.

The panel determined the item on the checklist, "local government/input/approval/zoning permit," is for cases where local government approval is necessary; and that did not apply in this situation.

The panel concluded that changing the area of impervious surface on a land base will increase runoff. This is something that is covered by the County Drain Commissioner and approval under this GAAMP does not relieve a land owner from following requirements set forth by the County Drain Commissioner.

It was the conclusion of the panel that all existing tile lines located within the area of the proposed manure structure will be disconnected. A footing tile would be installed at the base of the structure, which would drain into a catch basin so that it may be inspected on a regular basis. This is in accordance with Natural Resources Conservation Services (NRCS) Field Operations Technical guidelines.

Given the elevation difference between the drain, road, and proposed building site, the building location does not appear to be located within the flood plain.

MDNRE's review and issuance of the NPDES Permit is independent of the Siting Verification process. Approval under the Siting GAAMP does not influence the NPDES permit.

Based on the evidence presented and the current language within the Siting GAAMP, the Review Panel's recommendation is to affirm approval of the Siting Suitability Determination.

In response to question by Commissioner Green, Dr. Powers clarified the Review Panel felt there perhaps could have been more time spent investigating alternative locations within the 40-acre site prior to issuing preliminary Siting Verification. Mr. Johnson confirmed the Siting Verification Determination provided for Malburg Farms to begin construction and parallels the 60-day period allowed by the GAAMP for receipt of review requests. Mr. Whitman added they did not prematurely begin construction; they broke ground only after receiving MDA's letter approving suitability of the site. Request for review of a Siting Verification Determination is very unusual; there have been only two in over 300 Siting Verifications processed in the last ten years. And at that point, it is the decision of the operation to either proceed cautiously, or halt construction activities at the site.

Commissioner Coe noted the intent of the GAAMP was to provide the farmer the opportunity to build a business on his property; however, in the absence of final Site Verification, if an operation moves forward on construction, they must be taking a risk. The Commission should not be sympathetic to the fact that construction has begun prior to final Siting Verification. He also expressed concern regarding the 100 foot property setback and thought it merits re-evaluation. Mr. Johnson advised that autonomy is provided for in the footnote of the GAAMP, which states that distance may be adjusted. With the original location, there was a variety of soil types that would have resulted in differential settling that could cause cracking and leaking in the containment storage facility. The southeast corner provided much more stable soil conditions. Additionally, moving the location farther into the southeast corner provided more distance from all neighboring non-farm residences.

Relative to the 25-year flood plain, Commissioner Coe asked if that could be more clearly determined. Mr. Whitman confirmed, given the elevations, the panel concluded the building location does not appear to be located within the flood plain. MDNRE has confirmed the site is not a wetland. Ms. Crook advised a determination has not been made by MDNRE to locate the 25-year flood plain in that area. The site is on a ridge and relatively high compared to other surrounding land on that 40-acre parcel.

In response to question from Commissioner Fike, Mr. Whitman advised the NPDES Permit from MDNRE is currently in process, although they have advised intention to approve that permit. Additionally, we have no documentation from the Oceana County Drain Commission advising of the wetland and flood plain issues.

Commissioner Regis asked for clarification of the change in the property setback from 600 to 100 feet. Mr. Johnson advised it resulted from the original proposed site in the middle of the property, its soil types, and proximity to other non-farm residences. As the site was moved toward the southeast corner of the property, the soil situation was most desirable at the 100 foot setback point, as well as being the best location for the odor footprint model, putting the non-farm residences well outside that odor footprint. Reduction of the property line setback to 100 feet, while unusual, is not unheard of.

In response to question from Commissioner Regis, Mr. Deacon advised it has been approximately ten years since the Right to Farm Act was amended to pre-empt local zoning that conflicts or expands upon the provisions of the Act. The department has been working on this issue with the GAAMP Committee, which includes the Michigan Township Association. It has been our view consistently through these siting requests that if property is zoned agricultural, no further permission or direction from the local unit of government is required. If the property is not zoned agricultural, and someone wants to build a facility, the checklist (as referenced earlier) is then applied.

Commissioner Green expressed concern with the Panel's use of "appears to be." Dr. Powers confirmed the Siting Verification is in conformance and within interpretation of the language contained in the current GAAMP.

Commissioner Regis confirmed the Commission has the obligation to make a recommendation to the Director to either affirm the decision made by staff as a result of their evaluation of this particular Siting Verification Determination, or to ask for a re-evaluation of that determination. The final determination is to be made by the Director.

Mr. Johnson advised, in response to question from Director Koivisto, there is a county drain on the Malburg property. It is 862 feet north of the proposed site. Mr. Whitman reviewed the aerial maps of the site with the Commission.

Director Koivisto advised he completed an independent site visit and review of the Malburg facility site. He is well aware of the visuals, the proximity of the non-farm residents, as well as the other concerns raised relative to the site.

Commissioner Coe felt the Director should re-evaluate the Siting Verification Determination, asking that the Director be satisfied with the reduction of the setback requirement and concerns of the flood plain and the downstream aspects of the farm.

Commissioner Fike advised she supports the concerns expressed by Commissioner Coe regarding the setback reduction.

Commissioner Herioux advised that while the 600 foot setback is the number indicated in the GAAMP, the GAAMP as written allows for discretion in determining the exact setback distance according to what the reviewers observe on the site. Malburgs are operating on the GAAMP as written now. The fact the GAAMP may need adjustment in the future does not affect the fact that right now, as written, the discretion exists.

Commissioner Green advised he feels the Siting Verification fits all requirements of the GAAMP as written. A full re-evaluation would serve no purpose in this case. Commissioner Regis agreed, the GAAMP as written provides the rules with which to comply today and the Commission should support that GAAMP.

MOTION: COMMISSIONER COE MOVED TO RECOMMEND THE DIRECTOR RE-EVALUATE THE SITING SUITABILITY APPROVAL MADE BY THE DEPARTMENT FOR THE LIVESTOCK PRODUCTION FACILITY PROPOSED BY MALBURG FARMS. SECONDED BY COMMISSIONER FIKE. MOTION FAILED.

Commissioner Green advised he recommends that following careful review of all documentation provided and confirmation that all requirements of the GAAMP are met, the Commission should affirm the Siting Suitability approval for the Malburg facility.

MOTION: COMMISSIONER GREEN MOVED TO RECOMMEND THE DIRECTOR AFFIRM THE SITING SUITABILITY APPROVAL MADE BY THE DEPARTMENT AND AFFIRM THE RECOMMENDATION MADE BY THE PANEL FOR THE LIVESTOCK PRODUCTION FACILITY PROPOSED BY MALBURG FARMS. SECONDED BY COMMISSIONER HERIOUX. MOTION CARRIED THREE TO TWO.

In response to inquiry from Commissioner Green, Mr. Johnson confirmed the Malburgs did not prematurely begin construction; they broke ground only after receiving MDA's letter approving suitability of the site. Request for review of a Siting Verification determination is unusual; there have been only two in over 300 Siting Verifications over the last ten years. Counsel to facilities in the future could include advice to wait on construction until the 60-day review period by the public is complete. The GAAMPs will be reviewed and discussed later this year and Commissioner Regis advised concerns brought forward today be kept in mind as revisions to the Siting GAAMP are considered. Dr. Powers advised the Review Panel did not consider whether or not construction had already taken place when making their decision. In addition, based on the information they had, the Review Panel did not know whether there would have been a better location on the 40-acre property.

Director Koivisto thanked the citizens who appeared today for their informative remarks. Given the Commission's close decision today, following a comprehensive review, he will prepare a written document explaining the rationale of his final decision.

Commissioner Regis recognized Mr. Greiner for some last minute remarks. Mr. Greiner said, "I told Mr. Whitman that the northeast corner of Malburg's site is a maryl pit that goes downhill onto my property. He could dig in the maryl on his property and collapse Malburg's building. 20 million pounds will break that cement no matter how much you reinforce."

ADJOURNMENT FOR LUNCH

Chairperson Regis adjourned the meeting at 1:26 p.m. for a 30-minute lunch break.

MEETING RECONVENED

Chairperson Regis reconvened the meeting at 2:02 p.m.

COMMISSION RESOLUTION – RENEWABLE ENERGY RENAISSANCE ZONE AMENDMENT FOR ALPENA PROTOTYPE BIOREFINERY PROJECT: Mike DiBernardo, Agriculture Business Development Specialist, Agriculture Development Office

Mr. DiBernardo reported that in July of 2009, following approval by this Commission, the State Administrative Board approved a Renewable Energy Renaissance Zone (RERZ) for the Alpena Prototype Biorefinery proposed facility. Unforeseen delays regarding the United States Department of Energy's Environmental Assessment have delayed the timelines originally presented which impact the requirements set forth in the Development Agreement.

The project is being brought back for approval of adjusted timelines: 1) project commencement from July 2010 to October 2010; 2) property transfer from Decorative Panels International, Inc., to Alpena Prototype Biorefinery from February 2010 to November 2010; and 3) creation of ten new full-time jobs at the facility from December 2010 to November 2011. These amended timelines require recommendation of approval by the Michigan Commission of Agriculture and the Michigan Strategic Fund Board to submit for final approval by the State Administrative Board.

Staff recommends the Commission adopt a resolution to approve the request to amend the RERZ designation for Alpena Prototype Biorefinery Project in the City of Alpena contingent upon execution of an amended Development Agreement between the Michigan Strategic Fund and Alpena Prototype Biorefinery.

MOTION: COMMISSIONER COE MOVED TO SUPPORT A RESOLUTION TO AMEND THE DEVELOPMENT AGREEMENT FOR THE RENEWABLE ENERGY RENAISSANCE ZONE DESIGNATION FOR ALPENA PROTOTYPE BIOREFINERY PROJECT IN THE CITY OF ALPENA. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.

PUBLIC COMMENT (OTHER AGENDA ITEMS ONLY)

Amy Spray, Michigan United Conservation Clubs (MUCC), advised the Deer Management Plan that will be discussed later in the meeting, was part of a consensus-

based process with a diversity of stakeholders, including MUCC. MUCC has been very supportive of the overall process and the ultimate recommendations contained in that plan, and is assisting to move those forward.

Separate from that process is another item on the agenda, the Northwest Lower Michigan Agriculture and Natural Resources (NLPANR) Stewardship Cooperative Report. Although not a part of its development, MUCC does agree with many of the details in the report. This was a comprehensive plan to address the crossroads we have reached with Bovine Tuberculosis (TB). MUCC members did have some concerns with the antler point restrictions discussed in the plan, which will be presented to the Natural Resources Commission (NRC) in July. In addition, public meetings will be held in the area to specifically address those restrictions.

The NLPANR report states Bovine TB control and management needs participation by both hunters and livestock producers. MUCC believes the MDNRE, the NRC, MDA and the Michigan Commission of Agriculture all have a stake in moving this issue forward and need to work together to make progress.

The Wildlife Risk Assessment Program is a critical element of this effort. We need to ensure these plans are implemented, they are monitored, and compliance is on a continuing basis. MUCC supports going a step further to tie indemnity payments to those Wildlife Risk Assessment plans, as well as to disease control permits.

MUCC agrees with the crop production practices outlined in the report and hope they can also investigate any complaints and violations of those practices. Elements of Legislation are also contained in the Cooperative Report; and MUCC, the agriculture community in general, as well as the department and the Agriculture Commission, can assist in pursuing those types of initiatives.

Ultimately, MUCC would like to see some recognition we all are in this effort together. She suggested to the NRC that a joint document from the Commissions outlining the various steps each partner is taking in the Bovine TB eradication effort be developed. It would be good to demonstrate these efforts in one document which MUCC could then share and promote with constituents to help them understand both sides of the issue.

MICHIGAN DEER MANAGEMENT PLAN: Russ Mason, Wildlife Division Chief, and Brent Rudolph, Deer and Elk Program Leader, Michigan Department of Natural Resources and Environment

Mr. Mason advised the Michigan Deer Management Plan, which was approved by the Michigan Department of Natural Resources and Environment (MDNRE) on May 6, 2010, is the first ever comprehensive Deer Management Plan in the State of Michigan and is the product of a partnership between MDNRE and the public.

Mr. Rudolph explained the plan was developed to provide strategic guidance to MDNRE staff and involve stakeholders for the management of white-tailed deer in Michigan in support of the mission to maintain a healthy white-tailed deer population through using sound scientific management and maximizing recreational opportunities while minimizing

negative impacts on ecosystems and other wildlife species, and without creating undue hardship to private interests.

He discussed the processes used for public engagement, plan development, and approval and provided a summary of the plan's content and organization. The Deer Management goals include 1) maintain deer populations at appropriate levels, 2) promote deer hunting to provide quality recreational opportunities and population control, 3) manage habitat to provide for the long-term viability of white-tailed deer, 4) reduce conflict between humans and deer, 5) reduce the threats and impacts of disease, and 6) enhance public engagement. Each goal contains a number of specific objectives to be implemented toward achievement of that goal.

Statistics regarding the apparent prevalence of Bovine Tuberculosis (TB) in white-tailed deer were reviewed. The effects of past regulations appear to be saturated. Hunter harvest must be redirected to segments of deer providing the greatest benefit for TB eradication. Recommendations specific to Deer Management Unit (DMU) 487 were discussed. The point restriction concept is to direct harvest to slightly older bucks without a substantial aging of the deer population. The recently adopted change to allow firearm and combination licenses for antlerless deer should also direct some of the harvest that typically goes toward young bucks to a greater number of antlerless deer and reduce the overall population and the incidence of Bovine TB in white-tailed deer.

Future initiatives for deer management will include regional deer advisory teams for each ecologically-based region of Michigan, identification of regional deer management issues and facilitation of stakeholder interaction, and assistance in prioritization and evaluation of recommended actions.

Commissioner Fike inquired regarding the decline in hunters. Mr. Rudoph advised the decline is typically one percent reduction per year statewide, with no substantial difference among regions.

Commissioner Coe expressed concern that the plan does not give much consideration to agriculture. The deer population continues to inflict tremendous amounts of crop damage and cost to Michigan's farmers. And, we must protect our citizens from the growing number of accidents – 12 deaths, over 61,000 automobile collisions, and 1,408 injuries were directly attributed to deer last year alone. The deer herd should be managed to be a benefit to the farmers, to the society around them, and to the hunters. We should have a joint effort which clearly represents the concerns of all involved and initiates the actions needed to manage those populations.

Mr. Mason feels the two agencies have a lot in common in terms of maintaining the hunting traditions, as well as agricultural traditions in the State of Michigan. The most significant issue is how to gain greater access and opportunity for hunters on property across the state. Our agencies need to work together to provide more opportunity for hunters to take those deer. It is hoped that the Deer Management Plan will assist in achieving that goal.

In response to comment by Commissioner Herioux, Mr. Mason advised MDNRE does spend a great deal of time managing the deer populations in Michigan. The overpopulation of deer in Michigan presents an issue that we all need to address. The opportunity is there and we merely need to work together to find the solutions.

Because wildlife damage is devastating to farmers, Commissioner Green asked if there is a long-term plan to affect a decrease the size of the deer herds and the turkey flocks through adjusting or extending the hunting seasons. Mr. Mason advised they are liberalizing the turkey harvest in Michigan and permits are given to farmers to assist with those issues. Even though 60 percent of the deer hunters prefer the season as is, MDNRE continually discusses deer hunting seasons and are working toward increasing hunting days, offering different opportunities, and providing landowners with as much flexibility as possible.

Mr. Mason advised he looks forward to the opportunity to work together with MDA. Natural resources and agriculture stakeholders need to work together to implement improvements in all wildlife management for the future.

Commissioner Regis reminded the Commission there will be a Joint Natural Resources and Agriculture Commission meeting in August and encouraged the Commissioners to forward any suggestions or comments regarding the Deer Management Plan to the Director as soon as possible. The Director can then communicate those suggestions, on behalf of the Commission, to Director Humphries by July 1 for consideration during the July 8 NRC meeting, as well as subsequent discussion during the Joint Commission Meeting in August.

NORTHEAST LOWER PENINSULA AGRICULTURE AND NATURAL RESOURCE (NLPANR) STEWARDSHIP COOPERATIVE REPORT: Jeff Kala, Beef Cattle Producer, and Dr. James Averill, TB Eradication Program Manager

Mr. Kala reported the Northeastern Lower Peninsula Agriculture and Natural Resource (NLPANR) Stewardship Cooperative was formed at the request of state and federal agencies. A pilot project proposal was developed with the purpose of bringing together stakeholders for the common cause of improving natural resources with the goal of reducing Bovine TB prevalence rates. The NLPANR Stewardship Cooperative asks the Commission to consider this pilot project proposal to further assist in reducing Bovine TB rates in northeast Lower Michigan.

Recommendations of the pilot project were reviewed, including that the six-county area of Presque Isle, Montmorency, Alpena, Alcona, Iosco, and Oscoda counties be a stand-alone management unit for the duration of the project. Detailed rationale was discussed for project recommendations specific to Bovine TB spatially-clustered "hotspots," data collection, antler restrictions, antlerless deer, Wildlife Risk-A-Syst, available tools, crop production practices, permits, poaching and law enforcement, and baiting and feeding.

Director Koivisto expressed the department's appreciation for the Cooperative's time and effort in developing this pilot project.

Dr. Averill advised the Cooperative encourages the MDNRE, Michigan Commission of Agriculture, and Natural Resources Commission (NRC) to accept this pilot proposal in its entirety and to form a working relationship with the Cooperative. He reviewed a draft resolution for the Commission's consideration.

MOTION: COMMISSIONER GREEN MOVED APPROVAL OF A RESOLUTION IN SUPPORT OF THE NORTHEASTERN LOWER PENINSULA AGRICULTURE AND NATURAL RESOURCE STEWARDSHIP COOPERATIVE PILOT PROJECT: MANAGING BOVINE TB IN THE DEER MANAGEMENT UNIT 487. SECONDED BY COMMISSIONER FIKE. MOTION CARRIED.

BOVINE TUBERCULOSIS (TB) PROGRAM UPDATE: Dr. James Averill, TB Eradication Program Manager

Dr. Averill reported that on April 29, 2010, the Zoning Order was amended to incorporate the Federal Order released on April 15, 2010, which suspends movement testing for interstate/zonal boundary crossing. Implementation provides for movement throughout the state from the Modified Accredited Advanced Zone (MAAZ) Subzones 2 and 3, with movement from MAAZ Subzone 1 being dependant upon Wildlife Mitigation status. Feedback from cattle producers indicates they are very appreciative for this change. The Program is being very proactive in communicating with other states to help facilitate implementation of this federal order.

Preparation is underway for the Bovine TB Program Review by USDA scheduled for the week of August 9, 2010. An outline of the next Split State Status application will be sent to the USDA Review Team in early July. Surveillance efforts are on target to reach the necessary Bovine TB testing quota as outlined in the Memorandum of Understanding (MOU) with USDA.

There have been 49 newly infected cattle herds since 1998, with three new herds being found in 2010 in Alcona, Alpena, and Emmet counties. Program staff are currently working with five farms; two are under test-and-remove protocol, one will be depopulated, one farm is undecided, and one is recently infected.

Wildlife Risk Mitigation efforts continue, with 291 of the 300 farms from Round One being winter verified. For Round Two, the goal is to enroll 400 farms; and to date, 280 farms are participating.

The NLPANR Stewardship Cooperative's energy and effort to think outside the box to find potential ways to reduce disease burden in northeast Michigan is appreciated. The TB Program will continue to partner with the Cooperative and do all they can to implement their three key recommendations: 1) continue with Wildlife Risk Mitigation, 2) tie whole herd indemnity to Wildlife Risk Mitigation status, and 3) investigate voluntary buyout of cattle farms.

MICHIGAN GOOD FOOD CHARTER: Mike Hamm, C.S. Mott Professor of Sustainable Agriculture, Michigan State University

Dr. Hamm reported the Michigan Good Food Charter is currently in final stages of edit and layout and should be distributed within the next two weeks.

Michigan has the second most diverse agricultural production in the country, yet 59 percent of our residents live in a place that has inadequate access to the food they need for a healthy daily diet. Consumer interest in local foods is growing rapidly, and yet mid-sized farms are disappearing at an alarming rate, and many farms cannot support themselves without off-farm work.

Starting in September of 2009, work groups began examining Michigan's current situation and developing future opportunities to advance good food in Michigan. The process included several opportunities to collect public comments, including the Michigan Good Food Summit held in February. The Web site at www.michiganfood.org has a continually expanding set of archives, tools for providing comments, and links to a listserv for people to remain up-to-date on events around Charter development.

The Michigan Good Food Charter presents a vision for Michigan's food and agriculture system to advance its current contribution to the economy, protect our natural resource base, improve our residents' health, and help generations of Michigan youth to thrive. The Charter is centered on "good food" and the steps we can take as a state to significantly expand the portion of our food and the agricultural system that provides good food for everyone in Michigan.

They believe there is a huge opportunity, not to detract from anything that is going on in agriculture right now, but to add value to other venues that can emerge in agriculture and strengthen those that exist now. Michigan needs a locally integrated food system; one with a dynamic blend of local, regional, national, and globally produced good food. At any point of food purchase, we want you to ask one simple question: could we supply that product from Michigan? If yes, then what do we need to change so that farms and businesses in Michigan do supply it? The Charter outlines this vision, its goals, and a sequence of detailed policy recommendations that can be taken over the next 20 years to move in this direction. Recognizing these recommendations need to view all aspects from a holistic viewpoint, main categories were developed to include supporting Michigan farmers, incentivizing Michigan markets, prioritizing Michigan eaters, realizing economic development through the food system, and cultivating a good food culture.

Several funders have supported this process as listed in the Charter and there are places where resources, if they are directed toward the food and farming system, can have an impact. Several advance briefings, including this one, are being conducted this month. Beginning next month, the Charter will be the focus of regional meetings across Michigan where advocates will inform and engage policymakers in advancing policies and practices that support good food in Michigan.

Commissioner Coe advised some of the comments he received from conservancy groups regarding the Charter included more emphasis being needed on farmland preservation and making affordable farmland available. A correction needed regarding the milk production statistic listed in the Charter was noted by Commissioner Green.

Commissioner Fike thanked Mr. Hamm for sharing the Charter information and also for taking the lead statewide in this very important advocacy for Michigan food. She advised there is great interest from those not having been involved in the process to learn more about the Charter.

PUBLIC COMMENT (OTHER AGENDA ITEMS ONLY), CONTINUED

Mr. Chris Bardengagen, Michigan Organic Food and Farm Alliance (MOFFA), spoke regarding the Organic Certification Cost Share Program. Organic agriculture is continuing to grow in popularity among consumers and organic products are continuing to gain in market share of agricultural products. Several statistics illustrating this trend were noted. Organic agriculture has an economic momentum that is affecting Michigan's economy in a positive way.

The USDA's Organic Certification Cost Share program is a federally funded, state administered program which helps cover 75 percent of an organic farm's certification costs, up to \$750 per year. This important program is a catalyst to the transition of farms to certified organic agriculture. This year, because of the last round of funding cuts MDA had to endure, MDA has not been able to participate in the program because of the administrative costs. MOFFA is working with MDA and USDA to create a public non-profit partnership in order to continue providing the Organic Certification Cost Share to Michigan farmers. The agreement will require MDA to enroll in the program, to establish a third-party contract between MDA and MOFFA, and to provide some level of oversight of MOFFA's administration of the program.

The MOFFA Board of Directors believes that organic agriculture will continue to play an important role in the survival of current farms and the creation of new farms by providing a viable alternative to commodity markets. The Organic Certification Cost Share Program is an important resource for organic farmers and MOFFA is eager to help provide the Cost Share to the Michigan organic farmers it serves. Yesterday, MOFFA met with Director Koivisto and MDA staff and progress is being made toward realizing this goal.

LEGISLATIVE UPDATE: Nancy Nyquist, Legislative Liaison

Ms. Nyquist reported HB 5295 passed the House and is currently stalled in the Senate Finance Committee. Yesterday, Senator Van Woerkom introduced a similar bill, which would expand the Michigan Business Tax Act definition of financial institutions to include federally chartered farm credit institutions.

Yesterday, HB 5280, 5837, and 5843, "the Cottage Food Bills," passed the House and are now with the Senate for consideration. These bills would provide food safety guidelines to help small entrepreneurs begin their businesses without having to find a commercial kitchen or meet additional regulations to prepare their products for sale at farm stands and farmer's markets.

On May 13, the "Shooting of Swine in the Wild" three-bill package was signed by the Governor, implementing Public Acts 69, 70, and 71. Anyone possessing a valid hunting license may shoot a pig seen in the wild.

MDA is monitoring HB 6205, on which the Department of Community Health is the lead agency. Because it deals with registered sanitarians and environmental health, MDA has been working in partnership on this bill, as it would impact our Food and Dairy staff.

HB 6040 was introduced and would establish a farm to school grant program. HB 6041 would create a new act to encourage the purchase by public entities of agricultural products from local farmers, called the Buy Michigan First Act.

Also having an impact on the department, several Early Retirement Incentive Bills for Public Employees are still being considered.

BUDGET UPDATE: Amy Epkey, Budget Officer

Ms. Epkey reported that when the Executive Budget proposal for fiscal year 2011 was released, MDA's budget included \$77 million total funding, with \$28.8 in general fund dollars, which represents two tenths of one percent of the overall State of Michigan's budget. Included in the budget proposal was a 4 percent reduction from the current year; however, we have already seen a 52 percent decline in general funds since 2000. Any further cuts at this point are very significant. A number of significant changes were proposed in the 4 percent reduction: removal of general fund dollars for the Migrant Labor Housing Program, \$500,000 reduction for the Dairy Program, 30 percent reduction for the Right to Farm Program, movement of the Michigan Agriculture Environmental Assurance Program (MAEAP) to MSU with no funding associated, and reductions in the Pesticide and Plant Pest Management (PPPM) and Animal Industry programs.

The Budget Proposal then moved to the House of Representatives. In their version, the Dairy Program funding was restored, as well as partial funding for the Migrant Labor Housing Program. Next, the Senate took action, who actually added back \$1.4 million in general funding above the Executive Budget proposal. This is quite significant, because many of the budgets coming from the Senate have had further reductions. The Senate restored MDA's funding for the Dairy, Migrant Labor Housing, and Right to Farm Programs; and partially restored the MAEAP and PPPM funding. This says a lot about our industry partnerships, because clearly, they were at the table communicating to the Legislature the importance of agriculture and the need to place a priority on its programs.

A Conference Committee will be formed, consisting of three Representatives and three Senators, who will work out the differences between the Senate and House versions of the budget, taking into account the target amount that is set by Legislative leaders. Their recommendation will be presented to the full House and Senate before being forwarded to the Governor for approval. We anticipate movement on the budget very soon; however, there currently are 2010 budget issues that first need to be resolved on a statewide level in terms of the overall shortfall.

In response to question by Commissioner Fike, Ms. Epkey advised the Senate proposed to restore 45 percent of the MAEAP funding, which would allow for verification of farms already in the program, but would present challenges for bringing any new farms into the program. Raising of the target amount by Legislative leaders could potentially allow for

full restoration of the program, but it is anticipated the 45 percent is the most optimistic funding level we can expect.

FARM BILL UPDATE – EARLY DETECTION SURVEY ACTIVITIES AND NATIONAL CLEAN PLANT NETWORK: Robin Rosenbaum, Section Manager, and Ken Rauscher, Division Director, Pesticide and Plant Pest Management Division

Ms. Rosenbaum noted in the Farm Bill – H.R. 6124 Food, Conservation, and Energy Act of 2008, Section 10201, “Plant Pest and Disease Management and Disaster Prevention,” key strategies include 1) survey, 2) domestic inspections, 3) diagnostics, 4) nursery safeguarding, 5) outreach and education, and 6) mitigation. Under a very competitive process, MDA submitted 13 proposals, 10 of which were awarded funding. This success was attributed to 1) MDA’s survey program manager, Mike Philip; 2) MDA’s division director, Ken Rauscher, who sits on several national committees; and (3) Michigan’s risk profile, including eight ports of entry and the world’s busiest commercial land border crossing.

The goals, processes, time frames, staffing requirements, and impacts of these various surveys were explained, including blueberry virus, plum pox virus, forest commodity, grape commodity, warehouse, barberry and black stem rust, sudden oak death, and honeybee pest surveys. Also reviewed were several cooperative agricultural pest surveys being conducted outside of the Farm Bill Program.

Plant pest surveys are of critical importance. Exotic pests continue to be a growing threat to the state’s agricultural and natural resources. The establishment of exotic pests, such as emerald ash borer, continues to have tremendous economic and environmental consequences. Survey for early detection is the critical first step for successful control of exotic pests.

In response to question from Commissioner Coe, Ms. Rosenbaum advised the department’s staffing for survey programs includes 28 plant industry inspectors; however, the majority of the Farm Bill surveys are conducted by seasonal employees who often provide oversight and quality control. Many additional staff outside the division are utilized, such as employees from the Conservation Districts, Michigan Crop Improvement Association, and other divisions within the department.

Mr. Rauscher reported under the Farm Bill, Section 10202 directs the USDA Secretary of Agriculture to establish the “National Clean Plant Network” (NCPN), a program under which a partnership of clean plant centers is organized for diagnostic and pathogen elimination services to produce clean propagative plant material and maintain blocks of pathogen-tested plant materials in sites located throughout the U.S. Clean plant material may then be made available for state certified clean plant programs and to private nurseries and producers in the ornamental and fruit industry. It is a small, but very important activity within USDA.

At its core, the NCPN is a collaborative effort among three USDA agencies: the Animal and Plant Health Inspection Service (APHIS) for quarantine and regulatory programs; the Agricultural Research Service (ARS) for technology and germplasm issues; and the

Cooperative State Research, Education, and Extension Services (CSREES) for outreach and partnership initiatives.

NCPN identifies and supports a small but appropriate number of stakeholder selected, nationally focused clean plant centers that serve as centralized, cost effective hubs to diagnose and clean material and provide starter material to industry and the states. NCPN functions through networking, collaboration and program links, diagnostics and therapy, and foundation/nuclear blocks. The history, governance, and support of NCPN were discussed, as well as program impacts and funding specifics.

In response to question from Commissioner Coe, Mr. Rauscher advised this information has been provided to the Michigan Grape and Wine Industry Council. In addition, they are working with that group in terms of identifying a grower for virus-free material in Michigan.

DIRECT MARKET FOOD SAFETY UPDATE: Ken Rauscher, Division Director, Pesticide and Plant Pest Management Division

Mr. Rauscher provided an update of the Direct Market Food Safety Workgroup activities. This effort was a product of a Commission suggestion with the purpose of providing a venue for discussion and information on food safety issues relative to producers marketing on farms or at farm markets or farmer's market operations. This is the food safety counterpart to our Good Agricultural Product (GAP) inspections for those producers not needing that type of certification.

The Direct Market Workgroup consists of a diverse group of people interested in meeting that purpose, including MSU, Michigan Farm Market Association (MFMA), Michigan Grocers Association, Michigan Integrated Food Farming System (MIFFS), Michigan Agricultural Cooperative Marketing Association, Michigan Farm Bureau, Michigan Potato Industry Commission, MSU Extension, and various MDA divisions.

Ongoing activities include an Education Committee that is investigating educational needs and what materials are currently available. That group has developed a calendar of events and meetings particularly suited for small farmers which is posted on several websites. A main website that would ultimately house all pertinent information is under development and application for a Specialty Crop Block Grant proposal has been submitted.

A farm market food safety needs assessment was conducted by MIFFS and MFMA to identify the specific needs of farm market operators to determine what they would like to see in the area of food safety information. In addition, the group has a Food Safety Risk Assessment Team that is developing a Food Safety-A-Syst Program and there is Specialty Crop Block Grant proposal submitted to help fund that effort. In addition, the group reviews current pertinent legislation.

This workgroup has allowed for conquering some of the issues, in particular where small farmers can obtain information relative to food safety. It is comprised of a great group of people working around the table and coordinating activities.

Commissioner Coe advised the workgroup's efforts are greatly appreciated in the farming community, because the fear of the small farm community was that a full set of new regulations to which they could not react would be implemented and effectively put them out of business.

**AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) – EMERALD ASH BORER
RESPONSE UPDATE: John Bedford, Pest Response Manager, Pesticide and Plant Pest
Management Division**

Mr. Bedford reported that since its discovery in the summer of 2002, Emerald Ash Borer (EAB) has killed tens of millions of ash trees in southeastern Michigan alone, with tens of millions more lost in Illinois, Indiana, Kentucky, Minnesota, Missouri, New York, Ohio, Ontario, Pennsylvania, Quebec, Virginia, West Virginia, and Wisconsin. As a result, regulatory agencies and the USDA have enforced quarantines and fines to prevent potentially infested ash trees, logs, or hardwood firewood from moving out of areas where EAB occurs.

He provided an update of the EAB programs in the division that are supported by USDA APHIS funding. As a result of our national survey work, it became necessary for the department to amend the quarantine in Michigan to include Chippewa, Luce, and Alger counties. The three-level quarantine is still being maintained, which allows the department to regulate materials in as small an area as possible in an effort to prevent long-distance movement within quarantine boundaries. Approximately 14 percent of the U.S. native ash range is still quarantined, leaving a considerable amount as yet unaffected. APHIS purple panel trap survey activities are supported by USADA APHIS funding, which includes the non-quarantined counties in the Upper Peninsula.

The U.S. Forest Service received some of the economic stimulus money under the American Recovery and Reinvestment Act (ARRA) and took the opportunity to allocate some of those funds to the EAB project in the Upper Peninsula. A multi-agency workgroup, called Slowing Ash Mortality (S.L.A.M.), was already in place when that opportunity arose, a proposal was submitted, and \$2.5 million dollars was subsequently awarded to be used over the course of two years. The primary recipients were MDA, Michigan Technological University, MSU, and MDNRE.

The S.L.A.M. Pilot Project is a large multi-agency, multi-year, multi-faceted effort to slow the rate at which ash trees succumb to EAB. The project uses an integrated approach that combines multiple management strategies to achieve that goal. Project objectives include 1) limit the expansion of the core areas; 2) prevent satellite populations from expanding and becoming core populations; 3) protect high value trees where possible; 4) outside the core areas, focus on host reduction; and 5) reduce EAB population growth in the core areas. The outcomes of this pilot project in Mackinaw County will be evaluated for possible implementation in other areas.

In response to inquiry from Commissioner Coe, Mr. Bedford advised the battle is one of learning how to better live with EAB and developing approaches to allow people to respond in front of the problem. Commissioner Green asked for the best treatment available to save large ash trees. Mr. Bedford advised a product called Triage injected into the trunk of the tree by a professional will provide three years of protection, has

been shown to be 99 percent effective, and costs approximately \$12 per 12 inches of tree diameter. It was noted that trees do not show any symptoms for the first three years of infection, so one must be proactive in treating any valuable ash trees.

ITEM PRICING UPDATE: Craig VanBuren, Acting Director, Consumer Protection Program, Laboratory Division, and Brad Deacon, Emergency Management and Administrative Law Coordinator

Mr. Deacon reported that Michigan's law is fairly unique compared to the rest of the country in that it requires retailers to place individual prices on the goods they sell. The law places a number of requirements on both the department, as well as the Office of the Attorney General. Because the law provides no revenue, it has been an increasing issue for MDA to maintain the Complaint Response Program. Once the item pricing complaint investigations have been completed, MDA submits the information to the Office of the Attorney General and both agencies meet to develop mutually agreeable enforcement action plans.

Mr. VanBuren reported that MDA currently has 11 Weights and Measures inspectors to complete responsibilities within the Weights and Measures Act (P.A. 283 of 1964) as well as the Consumer Pricing and Advertising Act (P.A. 449 of 1976). This staff also assists MDA's 13 Motor Fuels Inspectors, especially in recent years as legislative mandates have placed additional focus on gasoline inspections as prices and complaint levels increase. The Consumer Pricing and Advertising Act mandates that MDA investigate allegations of certain violations of the statute; however, the department's program priorities have classified these pricing investigations as lower priority than gasoline quality and quantity and other Weights and Measures responsibilities.

Historical complaint levels were reviewed, as well as current item pricing complaints for the fiscal year to date. Through May 5 of this year, 58 complaints on item pricing and scanning errors have been received, with 38 being item pricing complaints, and 100 percent of those being confirmed as legitimate complaints. The Attorney General can implement enforcement measures, including fines; however, there is no reimbursement to MDA for the average annual investigation time of 803 on-site hours to complete the investigations. Commissioner Regis confirmed that the law mandates MDA investigate the complaints received, but there is no compensation for the department's time.

Mr. Deacon reported that a joint telephone call by the two agencies to the right level of the corporate entity can be very productive. On March 15, the Attorney General's Office sent a letter to the Target Corporation outlining recent inspection failures at several of their locations. Target responded on April 8, indicating they had gone on a "ticketing blitz" and all stores were in compliance as of March 26. Subsequent survey results indicate a significant improvement in compliance. The Attorney General's Office also coordinated conference calls with Kroger and Walmart on April 1. Both corporations indicated they were working on compliance and assured both the Attorney General and MDA they would maintain compliance. Subsequent complaint inspections indicate that as of May 24, Walmart is still not in compliance; no further complaints have been received on Kroger. Item pricing is very labor intensive for the retailers and some retailers are better than others at complying. In meetings with the Attorney General's

Office, a strategy is developed to ensure some enforcement, but without creating a burden on either of our agencies.

In response to inquiry from Commissioner Coe, Mr. Deacon advised that historically, there have been some significant fines and settlements, particularly against Walmart who was fined \$1.3 million in 2006. The Attorney General allowed contributions of product equal to the retail value for the majority of that fine.

Commissioner Green questioned if the legislation, enacted in 1964 and 1976, should be revisited in consideration of modern technology implemented since that time and to bring the revenues to the agency conducting the inspections, MDA. Mr. Deacon advised bills are regularly introduced to make changes to these acts; but any enactment on these laws has proven very difficult.

In response to inquiry from Commissioner Coe, Mr. VanBuren advised most states have gone to a scanner verification law, which ensures either there is a price on the shelf or on the item and further ensures those prices are accurate at the register. It is a much more intensive investigation program; however, this type of program can be revenue generating.

Mr. VanBuren reviewed other marketplace risks, as well as the various areas of inspection and their corresponding 5-year compliance rates. P.A. 449 does not provide a funding mechanism for the investigations completed by the Weights and Measures Program and the Attorney General's Office has no investigative staff available. The MDA staff hours needed for item pricing are at the expense of the department's other areas of responsibility in the marketplace, leaving consumers vulnerable to hidden overcharges caused by inaccurate devices or short measure. For example, net content inspections show an average 47.4 percent compliance rate over the last five years.

Commissioner Coe advised this is an issue which has concerned constituents and the Commission as a whole for over five years and action is needed. Director Koivisto advised that next year, after the new Legislature is seated, would be the appropriate time to introduce legislation to change the Consumer Pricing and Advertising Act, and the department will continue to pursue new legislation at that time.

COMMISSIONER ISSUES

Commissioner Regis reviewed a resolution before the Commission recognizing Gerald Wojtala who, after 25 years of dedicated and loyal service to MDA, left the department to assume the position as Executive Director of the International Food Protection Training Institute (IFPTI) in Battle Creek. IFPTI is a non-profit committed to deliver career-spanning standards-based food protection training to all state, local, tribal, and territorial food protection professionals.

MOTION: COMMISSIONER HERIOUX MOVED THE RESOLUTION FOR GERALD WOJTALA BE ADOPTED WITH BEST WISHES IN HIS FUTURE ENDEAVORS. COMMISSIONER GREEN SECONDED. MOTION CARRIED.

PUBLIC COMMENT

No public comment was requested.

ADJOURN

**MOTION: COMMISSIONER COE MOVED TO ADJOURN THE MEETING.
COMMISSIONER FIKE SECONDED. MOTION CARRIED.**

The meeting was adjourned at 4:59 p.m.

Attachments:

- A) Agenda
- B) Agriculture Commission Meeting Minutes April 14, 2010
- C) Agriculture Commission Meeting Minutes May 19, 2010
- D) Proposed 2010 Meeting Schedule – Michigan Commission of Agriculture
- E) Press Release: Michigan Agricultural Exporter of the Year
- F) Commission Resolution: Zeeland Farm Services, Inc., 2009 Michigan Agriculture Exporter of the Year
- G) Malburg Site Suitability Approval Review Committee Report
- H) Excerpt from MDA Site Selection & Odor Control for New and Expanding Livestock Production Facilities GAAMP
- I) Weare Township Siting Determination Review Request
- J) Donald Kunkle Siting Determination Review Request
- K) Leon and Laura Alvesteffer Siting Determination Review Request
- L) Roberta S. (Malburg) Dennert Siting Determination Review Request
- M) Kenneth and Barbara Greiner Siting Determination Review Request
- N) Attorney General's Office Letter to Donald Kunkle
- O) Michigan Farm Bureau Comments Re: Malburg Livestock Farm Siting Determination
- P) Siting Photographs provided by Donald Kunkle
- Q) Memo Re: RERZ Amendment for Alpena Prototype Biorefinery Project
- R) Commission Resolution: Alpena Prototype Biorefinery Project
- S) Michigan Deer Management Plan, Michigan Department of Natural Resources and Environment
- T) Michigan Deer Management Plan - PowerPoint Presentation
- U) Northeastern Lower Peninsula Agriculture and Natural Resource (NLPANR) Stewardship Pilot Project: Managing Bovine TB in the DMU 487
- V) Northeastern Lower Peninsula Agriculture and Natural Resource (NLPANR) Stewardship Cooperative PowerPoint Presentation
- W) Commission Resolution: The NLPANR Stewardship Cooperative
- X) Bovine Tuberculosis Eradication Program Update
- Y) Michigan Good Food Charter – Advance Draft
- Z) Michigan Good Food Charter PowerPoint Presentation
- AA) Michigan Organic Food and Farm Alliance Memo
- BB) Legislative Status – June 2010
- CC) Plant Pest Surveys Funded Under the 2008 Farm Bill - PowerPoint Presentation
- DD) The National Clean Plant Network (NCPN) – Farm Bill Section 10202
- EE) NCPN – PowerPoint Presentation
- FF) Direct Market Food Safety Summary
- GG) EAB 2010 Survey and S.L.A.M. – PowerPoint Presentation
- HH) Steps in Implementing a Strategy to Slow Ash Mortality – White Paper
- II) "Ecological Economics" article appearing in a journal published by Elsevier
- JJ) Item Pricing Investigations Report
- KK) Commission Resolution Recognizing Gerald Wojtala