

Michigan Commission of Agriculture Meeting Minutes

December 1999

Michigan Department of Agriculture
Michigan Commission of Agriculture Meeting Minutes
611 West Ottawa Street, 4th Floor, Dean Pridgeon Conference Room
Lansing, Michigan

December 10, 1999

PRESENT:

Deanna Stamp, Chair, Commission of Agriculture
James Maitland, Vice-Chair, Commission of Agriculture
Jordan Tatter, Secretary, Commission of Agriculture
Shirley Skogman, Commission of Agriculture
Douglas Darling, Commission of Agriculture
Dan Wyant, Director, Michigan Department of Agriculture

OTHERS PRESENT: *(all or part of the meeting)*

Michigan Department of Agriculture Staff
Ron Zellar, Attorney General's Office
Jerry Crandall, MIRS
Scott Everett, Michigan Farm Bureau
Mike Fredericks, Senator McManus' Office
Dr. John F. Hanieski, Economics Consulting Services
Jeff Hawes, FFA
Susan Holben, Michigan Economic Development Corporation
Brandon Lupp, FFA
Katie McClune, FFA
Ron Nelson, Michigan Farm Bureau
Dr. Patricia Norris, Michigan State University
Pete Squibb, Michigan Department of Natural Resources
Ryan Sweeney, FFA
Karl Trautman, Senate Democratic Office
Ginny Zeeb

CALL TO ORDER AND ROLL CALL

Chair Stamp called the meeting to order at 8:30 a.m., on December 10, 1999. Secretary Tatter called the roll with Director Wyant and all Commissioners present.

APPROVAL OF AGENDA

MOTION: COMMISSIONER SKOGMAN MOVED TO APPROVE THE DECEMBER 10, 1999, AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF MINUTES

MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE NOVEMBER 10, 1999, COMMISSION OF AGRICULTURE MEETING MINUTES AS PRESENTED. SECONDED.

MOTION TO AMEND: COMMISSIONER TATTER ASKED THAT THE FOLLOWING CORRECTIONS BE MADE TO THE MINUTES ON PAGE 15:

Commissioner Maitland moved TO approve the letter to Speaker Perricone as presented."

Commissioner Tatter moved to add the word "national" to the last sentence of the first paragraph

PRECEEDING THE WORD "MODEL."

SECONDED. MOTION TO AMEND CARRIED UNANIMOUSLY.

MOTION TO APPROVE CARRIED UNANIMOUSLY.

NEXT MEETING:

The next meeting of the Commission of Agriculture will be held on Thursday, January 13, 2000, and Friday, January 14, 2000, held in conjunction with the Michigan Association of Fairs and Exhibitions Annual Meeting, Hyatt Regency in Dearborn, Michigan.

APPROVAL OF COMMISSIONERS' PER DIEM/TRAVEL:

MOTION: COMMISSIONER TATTER MOVED TO APPROVE COMMISSIONER DARLING'S PER DIEM AND TRAVEL ON DECEMBER 7, 1999, TO SPEAK AT THE CRANBROOK BEEKEEPERS CLUB IN BLOOMFIELD HILLS, MICHIGAN. SECONDED. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF DIRECTOR'S OUT OF STATE TRAVEL:

MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE DIRECTOR WYANT'S TRAVEL ON JANUARY 8-9, 2000, TO ATTEND THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE BOARD MEETING IN WASHINGTON, D.C. SECONDED. MOTION CARRIED UNANIMOUSLY.

COMMISSIONERS' COMMENTS:

Commissioner Douglas Darling reported that discussions continue about biotechnology and seed purchases for next year. A number of seed companies are offering additional discounts because farmers have ordered both genetically enhanced seed, as well as non-genetically modified seed.

Commissioner Darling attended the MSU Autumnfest and also spoke at the Cranbrook Beekeepers Club in Bloomfield Hills, Michigan. He spoke on the issues currently affecting Michigan agriculture and also gave an update on the World Trade Organization (WTO) talks held in Seattle, Washington.

Commissioner Darling discussed the World Trade Organization talks that he attended in Seattle, Washington. He said that even though protestors and demonstrators caused havoc and disruption, they did not prevent him from participating in the workshops and meetings. He said the Seattle business community suffered greatly from the demonstrators, not only in storefront destruction but also in loss of business. He participated in many discussions about multi-functionality, biotechnology, export subsidies, etc. Unfortunately, by Friday evening, the posturing became very strong and the talks collapsed. An agenda was not set for the next round of trade talks. He believes that the reason for the failure was not due to the protestors, but due to the disagreement over agricultural trade, multi-functionality, and export subsidies. Commissioner Darling added that it was unfortunate that media coverage focused on the protesting, rather than the issues and purpose of the talks.

Director Wyant asked where Commissioner Darling thinks the talks will go from here, since no future agenda was set.

Commissioner Darling said he believes the meetings will continue next year in Geneva.

Commissioner Shirley Skogman expressed her appreciation for Commissioner Darling's appearance at the Michigan Farm Bureau Annual Meeting immediately after returning from Seattle. She said that he did a wonderful job in providing an update on the WTO talks.

Commissioner Skogman attended four days of the Michigan Farm Bureau Annual Meeting held in Traverse City. She said the primary issues discussed were bovine tuberculosis and the feeding/baiting ban. She was disappointed in the outcome of the resolution that was passed and felt that there was not enough focus on livestock health issues and the hardship this issue has on the farmer. There was concern expressed by some producers about the testing requirements, the treatment of the animals, and the effect that testing has on some cattle. She also added that many in the Upper Peninsula are very unhappy with the *Select Michigan* logo because it does not show the entire Upper Peninsula.

Commissioner Skogman reported that the weather in her area has been mild, with no snow to date. The hunting season was a reported success and hunters took advantage of the extra permits available from the DNR.

Commissioner Jordan Tatter reported that fall temperatures have been so mild that fruit growers are expressing concern about wood and bud hardiness resisting the first real cold snap. In 1999 Berrien County lost its peach crop due to -15 degree to -18 degree temperatures, while about 20 degrees above zero has been the low to date. Local butcher shops are reporting the deer kill to be slightly less than a year ago. They process deer from all over the state, as well as locally. Hunting conditions have been poor at best due to almost no snow, rainy weekends, and football games.

Commissioner Tatter attended a dinner and a breakfast event hosted by Congressman Fred Upton. Congressman Upton discussed the Washington situation and received input about many issues, including agricultural concerns. Commissioner Tatter also took part in two meetings in support of the MSU Southwest Michigan Research and Extension Center. One meeting focused on vegetable research and extension efforts and the potential to expand them with Project GREEN funds. The other was to organize a strategic planning process for the center to be conducted with the advisory committee by a professional facilitator.

He also reported that another meeting of the Act 51 Transportation Funding Study Committee was held. Jeff Friedle of MDA and Jim Miller of the Michigan Farm Bureau are key resources.

At the request of Patty Cantrell of the Michigan Land Use Institute, Commissioner Tatter met with her and Lana Pollack, the Executive Director of the Michigan Environmental Council. Ms. Cantrell and Ms. Pollack complimented the alteration of the Right to Farm annual GAAMPs revision and approval process. They also expressed their desire to work with MDA on concentrated animal feeding operations to arrive at a state program that does satisfy EPA and is not an EPA-administered program in Michigan. Commissioner Tatter feels that Director Wyant and Vicki Pontz-Teachout have their respect and trust, and the time is right to work together on mutual concerns.

He also attended the Michigan State Horticultural Society Annual Meeting and Banquet. MDA staff was present in several display areas with booths on marketing, plant and pest protection management, and agricultural statistics. Commissioner Tatter, along with Commissioner Maitland, also attended the Governor's Christmas Reception held at the Governor's home.

Commissioner Tatter distributed a copy of a letter from Mr. Dan Sutton, Vice President of Produce Procurement, Albertson's Inc., Boise, Idaho. This national retail chain is demanding that fresh produce suppliers in Michigan acquire independent third party verification of "good agricultural practices." The company suggests that the FDA publication, "*Guide to Minimize Microbial Food Safety Hazards for Fresh Fruits and Vegetables*" be the starting point. They also recommend that a third party consultant from Salinas, California be retained. Commissioner Tatter said this is another layer of cost that will be borne by the producer as a reduction in their "pack out returns." He hopes that MDA can assist Michigan-based packers of fresh produce in meeting this new demand at minimal cost to Michigan's fruit and vegetable industry.

Commissioner James Maitland reported that the weather in the Traverse City area is mild, which always causes concern in the fruit industry about potential drastic temperature changes. Commissioner Maitland attended the Governor's Christmas Reception held in Lansing, the Michigan Farm Bureau Annual Banquet, and also met with township representatives from the Traverse City area to discuss Right to Farm concerns. He said that on January 24-25, 2000, the Grand Traverse Fruit Growers Council would be hosting a show at the Grand Traverse Resort.

Commissioner Deanna Stamp reported that milk production and milk prices have once again collided, causing a crash in milk prices. She said the industry is experiencing the second record drop of milk prices of 1999. In November of 1999 the basic formula price will close at \$9.79, while in November of 1998, the basic formula price was \$16.84. This is a result of higher cow numbers and higher production per cow nationwide. She said she is expecting prices to stay at lower levels for the next few months and most producers respond to the low prices by making some type of change in production. Dairy farmers do the same things with low prices as they do with high prices. They produce more milk to maintain the same amount of cash in the pocket and

pay the same amount of bills. She said that by adding Class I differentials to the \$9.79 level, that equals about 97 cents a gallon. Consumers should see lower milk and cheese prices in the grocery stores.

Commissioner Stamp attended a meeting of the Michigan Carrot Committee with Director Wyant and Deputy Director Creagh. Discussions centered around the industry's concern about its potential loss if a complete deer baiting ban were to be enacted in the state.

Director Wyant and Commissioner Stamp also attended informational meetings in West Branch and Spruce, Michigan, to discuss the USDA Interim Rule and Memorandum of Understanding (MOU). Many concerns were expressed about the farmers' ability to meet testing requirements for calves and the placing of calves in approved calf raising facilities. There were also concerns about the availability of veterinarians to meet the immediate need of a second annual whole herd test, the cost of the testing, if the state would cover those costs, and how movement certificates can be issued in a timely and convenient fashion. Another meeting was held with a group of producers in Alpena, and many of the same concerns were repeated. Commissioner Stamp commended MDA staff for working so diligently in meeting with producers and sharing and exchanging information.

Commissioner Stamp attended the third meeting of the Baiting Materials Workgroup. She said Dr. Diana Whipple presented USDA's preliminary findings on a study about feed types. Dr. Whipple also presented findings of the USDA study on the transmission of tuberculosis from deer to deer and deer to cattle. She reported that the study revealed there is a 100 percent transmission from deer to deer. Results of the transmission from deer to cattle tests will be available soon.

Director Wyant said that the information received from Dr. Whipple would be shared with industry and stakeholders. He said that bovine tuberculosis continues to be a high priority. He said that other priorities for MDA in the coming year are Right to Farm, environmental assurance, agriculture marketing, and food safety.

LEGISLATIVE REPORT: Brad Deacon, Legislative Liaison

Brad Deacon, Legislative Liaison, distributed copies and reviewed the December 1999 Legislative Report. He said that HB4297 (Capital Outlay) did pass both Houses and was enrolled.

Director Wyant explained that there is \$340,000 designated for analysis and planning of a new animal health diagnostic laboratory. There also was a transfer from the Gaming Addiction Fund to the Equine Development Fund of approximately \$400,000.

Mr. Deacon said that HB4803 (Drain Code) has passed the House. He expressed his appreciation to Mike Gregg of the Environmental Stewardship Division for his expertise and support during this long process. He also distributed copies and reviewed SB 205 as passed by the House on December 9, 1999. He compared SB 205 to the Michigan Right to Farm Act (Act 93 or 1981, as amended), copies of which were also distributed. He said that the bill passed (61 to 48).

Director Wyant talked about SB 205 and how the new directives will affect the department and Commission. The bill mandates that the Commission shall establish an advisory committee to provide recommendations to the Commission. Director Wyant recommended that Commissioner Maitland chair a subcommittee to develop a detailed summary of the process of GAAMP approval by the Commission.

Commissioner Tatter agreed with Director Wyant's recommendation and asked that staff provide draft language for a formal motion. Director Wyant said that the draft language would be provided later in today's meeting.

UPDATE ON BOVINE TUBERCULOSIS: Dr. Michael Chaddock, State Veterinarian, Animal Industry Division

Dr. Michael Chaddock, State Veterinarian, reported that several meetings have been held with producers throughout the state during the last month. He said additional meetings would be held with producers and other stakeholders in the near future to discuss how the state can address the concerns raised by the producers. He also reported that the 888 toll free number (888-565-8626) at the Atlanta Office is now operational.

Dr. Chaddock provided the following update on the bovine tuberculosis situation in Michigan:

- 3 herds remain to be tested in the infected zone
- 5 herds remain to be tested in the surveillance zone
- 1,103 herds have been tested to date
- 6 herds are currently under some type of a quarantine

He met with Dr. Steve Schmitt of the DNR earlier today to receive an update on DNR testing of wildlife. DNR has examined 3,000 animals, far more than what was agreed to under the plan, which brings the current total to 17,508 animals.

Dr. Chaddock reported that there is concern about three suspect deer located outside of the infected zone. Two of those deer are located in the surveillance zone (Iosco and Crawford counties) and show an acid-fast bacteria on the smear. Testing is continuing on these two animals. The other deer is located in Antrim County, northeast of Torch Lake. This animal has come back from the laboratory as DNA probe-positive. A meeting will be held as soon as possible between USDA and Michigan officials to discuss this situation.

Director Wyant said that because of increased and expanded testing, as well as better and more accurate information, the new suspects do not necessarily indicate that the disease is expanding.

Dr. Chaddock has received an update on the USDA risk assessment that was conducted in September 1999. He feels that one of the most important statements made in the assessment was that this is a long-term problem and will require long-term resources.

DISCUSSION OF THE "FOOD PROCESSING INDUSTRY RETENTION AND EXPANSION PROGRAM FINAL REPORT:" Dr. John Hanieski, Economics Consulting Services

Dr. John Hanieski of Economics Consulting Services reviewed the "*Food Processing Industry Retention and Expansion Program Final Report*," dated November 4, 1999. The report is an investigation into the competitiveness of Michigan-based food processors and was initiated by MSU Extension and the Agricultural Experiment Station, partnered by the Michigan Farm Bureau and MDA. The Michigan Economic Development Corporation (MEDC) also assisted in the investigation. Dr. Hanieski said his report is part of a set of responses to Senator McManus' call for the development of an action agenda regarding the agri-food industry. The MEDC also has commissioned a parallel effort and the intent is to issue final recommendations jointly.

Dr. Hanieski explained that interviews were held with business leaders in four sectors of the food processing industry (meat, dairy, cereals, fruit and vegetables.) The survey included a series of 17 questions to gather information about the competitiveness of Michigan-based operations and the extent to which having a Michigan location contributes or detracts from that competitiveness. The survey built upon an earlier survey by the Michigan Department of Agriculture that identified eight areas of concern. Labor availability and cost are the most frequent problems.

Director Wyant expressed his appreciation on behalf of the Commission for Dr. Hanieski's report and said they look forward to receiving the final recommendations from Dr. Hanieski and the MEDC.

REVIEW OF RIGHT TO FARM COMPLAINT: Wayne Whitman, Environmental Stewardship Division

Wayne Whitman of the Environmental Stewardship Division updated the Commission on a Right to Farm complaint that was originally brought before the Commission in September 1999. The Right to Farm complaint was filed against Mr. Dan Giannola of Buckley, Michigan, due to concerns about potential nutrient leaching into groundwater from stockpiled horse manure. MDA has conducted six investigations, plus a joint investigation with the Michigan Department of Environmental Quality (MDEQ) Environmental Response Division. On December 1, 1999, Mr. Whitman and division director, Ms. Vicki Pontz-Teachout, visited the facility again and met with Mr. Giannola's facility manager to review the file. To date, MDA has not been able to verify any significant effort on the part of the Mr. Giannola to correct the manure mismanagement problem.

Mr. Whitman recommended that the Commission approve the transfer of the file to the Michigan Department of Environmental Quality (MDEQ) in accordance with the Memorandum of Understanding between MDA and MDEQ.

Commissioner Tatter suggested that a letter be sent from the Commission to Mr. Giannola informing him that the Michigan Commission of Agriculture is transferring his file to the Michigan Department of Environmental

Quality and by doing so his farm will not be afforded the nuisance protection provided under the Michigan Right to Farm Act.

A letter to Mr. Giannola and to MDEQ Director Russell Harding will be prepared and brought to the Commission today for signature.

PRESENTATION OF THE "PLANNING AND ZONING FOR ANIMAL AGRICULTURE IN MICHIGAN: A HANDBOOK FOR LOCAL GOVERNMENTS:" Dr. Patricia Norris, Michigan State University Departments of Agricultural Economics and Resource Development

Dr. Patricia Norris of the Michigan State University Departments of Agricultural Economics and Resource Development reviewed the report, "*Planning and Zoning for Animal Agriculture in Michigan: A Handbook for Local Governments.*" She said that many local governments in Michigan are attempting to address the siting and expansion of new and existing large-scale, intensive animal production facilities. Land use issues regarding animal agriculture are best addressed through comprehensive planning, followed by land use regulation aimed at implementing that planning. The purpose of the handbook is to assist local governments in Michigan to create an environment in which citizens are comfortable living with animal agriculture and in which responsible agricultural operators are comfortable doing business.

Dr. Norris said that the handbook describes the key factors that have contributed to the current debate over location of animal production facilities: changes in rural populations, the animal agriculture industry, and how property rights are understood. The handbook also provides an overview of the important role agriculture plays within Michigan's economy.

Director Wyant asked how the handbook would be distributed.

Dr. Norris said that copies have been provided to MSU County Extension Directors, county boards of commissioners, and township supervisors.

PRESENTATION OF USDA CERTIFICATE OF APPRECIATION AWARD: Dan Wyant, Director

Director Wyant presented a USDA Certificate of Appreciation to Dr. David Skjaerlund of the Rural Development Council of Michigan in recognition of his outstanding support of the rural business/cooperative development programs in fiscal year 1999.

UPDATE ON FFA ACTIVITIES: Jeff Hawes, FFA Project Consultant

Mr. Jeff Hawes, FFA Project Consultant, is a graduate of Michigan State University and has been hired as replacement for Mr. Charles Snyder, who will be retiring at the end of December. Ryan Sweeney, FFA President, Katie McClune, FFA State Secretary, and Brandon Lupp, Region III State Vice President, introduced themselves to the Commission. They are three of the 11 FFA statewide officers, representing over 5,000 members and over 120 chapters. The Michigan FFA theme for this year is "*Key to Success.*" The Michigan FFA believes that the agricultural industry and the FFA organization are the keys to success for the youth of America. They also have adopted a program called "7/11" in which they encourage seven new members to join the FFA and meet and support 11 other FFA members. The goal is to help students look at the opportunities available, and help them build and grow in leadership activities. State officers travel to many conventions and conferences and recently they attended the 72nd National FFA Convention held in Louisville, Kentucky. Nearly 50,000 members and students were in attendance.

Copies of the "*1999 National FFA Convention Results*" were distributed, as well as invitations to the Commission to attend the State FFA Convention Banquet on March 7, 2000, in East Lansing.

Commissioners expressed their appreciation to the FFA officers and Mr. Hawes. They also congratulated Ryan Sweeney as the recipient of the *National FFA Proficiency Award in Agricultural Technical Systems* at the 1999 National FFA Convention.

Director Wyant said that MDA and the Commission are very proud of the Michigan FFA organization.

UPDATE ON THE SPILL RESPONSE PROGRAM: Ben Darling, Michigan Groundwater Stewardship Program, Environmental Stewardship Division

Ben Darling of the Environmental Stewardship Division reviewed the report of the "*Agriculture Pollution*

Emergency and Spill Response Program." He said that during the period of October 1, 1998, through September 30, 1999, MDA received reports on a total of 105 agrichemical and manure releases, compared to 107 reports over the same period in 1998. There were two major incidents during the fiscal year, one in Ottawa County, and the other in the city of Webberville, Michigan. MDA worked with the Michigan Department of Environmental Quality and local officials in the cleanup.

APPROVAL OF NURSERY FEE ADJUSTMENTS: Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division

Kenneth Rauscher, director of the Pesticide and Plant Pest Management Division, referred to a memorandum dated November 29, 1999, regarding nursery fee adjustments. MDA is currently performing certification inspections of plants and plant products based on fees authorized in April 1996. For inspections made on an acreage basis, the current fees are \$30 for the first acre, and \$15 for each additional acre. The hourly inspection fee is \$30. An analysis conducted recently placed MDA costs at over \$32 per hour and \$41 for a single acre inspection.

Mr. Rauscher recommends approval for the following increased fee rates:

- \$32 (Hourly Rate);
- \$32 (First Acre) and
- \$16 (Each Additional Acre).

It is anticipated that the fee increase would generate approximately \$52,000 annually. The funds will be used to maintain the same level of inspection services to the industry and would take effect January 1, 2000.

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE NURSERY FEE INCREASES EFFECTIVE JANUARY 1, 2000, AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.

Mr. Rauscher also distributed information relating to the "*Plum Pox Virus*." This viral disease was discovered in Pennsylvania in mid October and the D-strain affects all stone fruits, except cherries. There is concern about the virus as it can be devastating to orchard fruits/nurseries and ornamental nursery stock. Canada has quarantined all U.S. stone fruit production, which has a major impact on sales into Canada. MDA will be meeting with MSU and USDA to discuss the virus and its impact on Michigan, and will be attending a meeting in Pennsylvania.

RECESS

The meeting recessed at 12:20 p.m.

RECONVENE

The meeting reconvened at 1:05 p.m.

DIRECTOR'S REPORT: Dan Wyant

Export Advisory Committee: An Export Advisory Committee will be created and members will include producers, bankers and industry specialists, agri-businesses, etc.

McManus Task Force Report: Recommendations from the report continue to be addressed. A Purchase of Development Rights fund will be established. Many have expressed the opinion that there is no need to have both a PA 116 program and a PDR fund. It has been suggested that the two programs be combined and that a five-member board be established to administer the program. There is question and discussion, however, on where the program should be housed. Bob Craig of MDA and Mindy Cook of DNR are developing recommendations on how these two programs could be combined.

Commissioners Darling, Tatter and Maitland agreed that the program should be housed in MDA.

Ag Transportation: The immediate rail crisis has been averted with minimal loss; the fall harvest is out of the field and has been delivered to the elevators. The director expressed his appreciation for the efforts of Senator Spencer Abraham and Congressman James Barcia.

Organic Food Advisory Committee: Governor Engler has asked that Michigan take a leadership role in

creating an organic standard that would serve as a model for the Midwest area. The Governor has recommended that Michigan host a regional conference on the future of organics that would address organic standards and promotion.

Constructed Wetlands: Ottawa County has asked MDA to examine a new technology called "constructed wetlands." This new technology is used by municipalities to construct wetlands so that animal waste treatment can occur through the process. The county has put together a feasibility study/design and is asking MDA to financially support a pilot project in the field. MDA is working with MSU, DNR, DEQ, and NRCS to determine if a partnership should be forged with the county.

Brazil/Chile Trade Trip: An invitation has been extended to MDA from MSU for the department and commission to participate in a trade trip to Brazil/Chile.

Carrot Industry Committee: The carrot industry has been supportive with respect to policy and strategy as it relates to bovine tuberculosis. MDA has met with the industry to discuss a long-term plan for the utilization of cull carrots. The industry still desires that carrots be used as bait and that baiting be allowed in Michigan. Keeping communication open with the industry is of great importance.

Right to Farm: Director Wyant expressed his appreciation to MDA staff, Michigan Farm Bureau and members of the Legislature for their efforts in passage of Senate Bill 205. All indications are that the Governor will sign the bill as presented. The Director said that the Right to Farm program has worked very well and is a national model for conflict resolution. However, MDA wants to build upon the success of the past to ensure that Michigan has a quality program for the future; one that everyone is proud of and can stand behind. He believes it would be beneficial to establish a subcommittee to assess the Right to Farm program as it relates to Senate Bill 205 and to recommend improvements as needed. He suggested that Commissioner Maitland chair the subcommittee, with assistance from Vicki Pontz-Teachout, director of the Environmental Stewardship Division.

Vicki Pontz-Teachout explained that currently there are two program review processes underway. The first is a process that has been going on for nearly a year called "20/20." The 20/20 group involves 20 people from MDA and 20 people from MDEQ. The purpose of the 20/20 group is:

- To develop ways to improve communications and relations between the two departments,
- To discuss the Right to Farm and Memorandum of Understanding process,
- To improve interaction between the two agencies on complaint referrals, and
- To improve procedures and practices to work together at the field level.

In addition, a second, smaller workgroup is reviewing the current complaint response program and will be making recommendations to the DEQ and MDA directors. Ms. Pontz-Teachout feels it would be beneficial to include the recommendations of both of these groups in the subcommittee review. She said there are other stakeholders in the field that assist in the delivery system, such as NRCS, conservation districts, MSU Extension, and others within MDA that need to be included in this process. She already has asked that a committee of those stakeholders meet to look specifically at the delivery process.

Commissioner Maitland agreed that this information should be a part of the subcommittee process and recommendations.

Director Wyant added that a procedure also needs to be developed on how the Commission will respond when a local unit of government comes before the Commission. Commissioner Maitland and Ms. Pontz-Teachout agreed that this could be part of the entire subcommittee review and recommendation.

MOTION: COMMISSIONER TATTER MOVED TO ESTABLISH A SUBCOMMITTEE OF THIS COMMISSION, THE PURPOSE OF WHICH IS TO ASSESS THOSE ELEMENTS OF THE RIGHT TO FARM PROGRAM THAT HAVE BEEN SUCCESSFUL TO DATE AND RECOMMEND IMPROVEMENTS AS NECESSARY. COMMISSIONER JAMES MAITLAND WILL CHAIR THE SUBCOMMITTEE. THE SUBCOMMITTEE WILL REPORT INITIAL FINDINGS TO THE COMMISSION AT THE FEBRUARY 2000 COMMISSION MEETING. SECONDED. MOTION CARRIED UNANIMOUSLY.

MOTION: COMMISSIONER DARLING MOVED TO DIRECT THE DEPARTMENT TO INITIATE THE GAAMP FORMULATION PROCESS FOR SITE SELECTION AND ODOR CONTROL AT NEW OR EXPANDING ANIMAL LIVESTOCK FACILITIES. THE TASK FORCE CREATED UNDER THIS MOTION MUST MAKE RECOMMENDATIONS TO THE COMMISSION BY THE MARCH 2000 COMMISSION MEETING. SECONDED. MOTION CARRIED UNANIMOUSLY.

Commissioner Darling said that the Michigan Township Association will be holding an educational conference in January and it would be beneficial if MDA could attend to share information about this process. He also said that the Michigan Farm Bureau and Rural Development Council of Michigan would be hosting a land use conference in February. This conference also would offer an opportunity to share important information about the process.

RIGHT TO FARM COMPLAINT

Wayne Whitman of the Environmental Stewardship Division presented a letter for signature to be sent to Mr. Dan Giannola of Buckley, Michigan, as well as a letter to Mr. Russell Harding, director of the MDEQ.

MOTION: COMMISSIONER TATTER MOVED TO APPROVE THAT THE LETTER TO MR. DAN GIANNOLA OF BUCKLEY, MICHIGAN, BE SIGNED AND MAILED. SECONDED. MOTION CARRIED UNANIMOUSLY.

Commissioner Tatter asked that as part of the Right to Farm annual update to the Commission, Mr. Whitman include an update on the status of complaints referred by MDA to DEQ.

PUBLIC COMMENT

Pete Squibb, Department of Natural Resources, distributed copies and reviewed the *"1999 Deer Harvest for Early Archery, Early Firearm, and Regular Firearm Deer Seasons in the Northeast Lower Peninsula."* Mr. Squibb also is the chair of a Baiting Materials Workgroup that is looking at the baiting materials in the current regulations to determine if changes need to be made. The workgroup is looking at the types of feeding materials, as well as the application of those materials. He said that deer baiting is a supported and recognized method of hunting in Michigan. It is one that the Natural Resources Commission (NRC) would like to maintain to the fullest extent possible without sacrificing or impacting resources. It becomes a basic conflict between science and social interests. The most difficult thing to do is to get the public to accept that regulation is needed. He said that the workgroup's recommendations would be taken to the NRC at its January meeting.

Mr. Squibb expressed his appreciation to MDA staff and Commissioner Stamp for their efforts.

Ron Nelson of the Michigan Farm Bureau expressed his appreciation to Director Wyant and MDA for their efforts in the passage of the Drain Code. He also thanked Commissioner Stamp for serving on the Baiting Materials Workgroup.

ADJOURN

MOTION: COMMISSIONER SKOGMAN MOVED TO ADJOURN THE MEETING AT 2:25 P.M. SECONDED. MOTION CARRIED UNANIMOUSLY.

ATTACHMENTS

The following materials are available in the Commission of Agriculture office and can be obtained upon request:

Attachment A Commission of Agriculture November 10, 1999, Meeting Minutes

Attachment B Letter from Mr. Dan Sutton, Vice President of Produce Procurement, Albertson's Inc., Boise Idaho

Attachment C Legislative Report – December 1999

Attachment D Senate Bill 205

Attachment E Michigan Right to Farm Act

Attachment F *"Food Processing Industry Retention and Expansion Program Final Report,"* dated November 4, 1999

Attachment G *"Planning and Zoning for Animal Agriculture in Michigan: A Handbook for Local Governments"*

Attachment H *"1999 National FFA Convention Results"*

Attachment I *"Agriculture Pollution Emergency and Spill Response Program"*

Attachment J Memorandum to Dan Wyant, dated November 29, 1999, regarding Nursery Fees

Attachment K *"Plum Pox Virus"*

Attachment L Director's Report – December 1999

Attachment M Letter to Mr. Dan Giannola of Buckley, Michigan

Attachment N Letter to Mr. Russell Harding, Director of the Michigan Department of Environmental Quality

Attachment O *"1999 Deer Harvest for Early Archery, Early Firearm, and Regular Firearm Deer Seasons in the Northeast Lower Peninsula"*

I, Jordan B. Tatter, Secretary of the Michigan Commission of Agriculture, do hereby certify that I have read the minutes of the December 10, 1999, meeting of the Commission of Agriculture and they are a true and accurate description of the proceedings thereof.

Jordan T. Tatter, Secretary

I, Daniel J. Wyant, Director of the Michigan Department of Agriculture, do hereby certify that I have read the minutes of the December 10, 1999, meeting of the Commission of Agriculture and they are a true and accurate description of the proceedings thereof.

Daniel J. Wyant, Director

Approved on January 13, 2000
Lansing, Michigan