

MICHIGAN COMMISSION OF AGRICULTURE
Lansing Center
Governor's Room
333 E. Michigan Avenue
Lansing, MI 48933

MEETING MINUTES
January 10, 2005

PRESENT:

James Byrum, Chairperson, Commission of Agriculture
James Maitland, Vice-Chair, Commission of Agriculture
Ann Jousma-Miller, Secretary, Commission of Agriculture
Douglas Darling, Commission of Agriculture
Dale Norton, Commission of Agriculture
Dan Wyant, Director, Michigan Department of Agriculture

OTHERS PRESENT: (all or part of the meeting)

Michigan Department of Agriculture Staff
Shannon Andrews, Michigan Department of Community Health
Sue Bila, Michigan Festivals & Events Association
Kendra Butters, Senate Republican Policy Office
Jeff Cobb, Senator Gerald VanWoerkom's Office
David Morris
Ron Nelson, Michigan Farm Bureau
Bridget Patrick, Michigan Department of Community Health
Stan Poet, Michigan Festivals & Events Association
Mark Salogar, House Democratic Policy Office

CALL TO ORDER AND ROLL CALL:

Vice-Chair Maitland called the Commission of Agriculture to order at 9:29 a.m. on Monday, January 10, 2005. Secretary Byrum called the roll with Director Wyant, Commissioners Maitland, Jousma-Miller and Norton present. Commissioner Darling was held up in traffic and was en route.

APPROVAL OF AGENDA

MOTION: COMMISSIONER BYRUM MOVED APPROVAL OF THE JANUARY 10, 2005 AGENDA AS PRESENTED WITH THE EXCEPTION OF DEFERRING THE ELECTION OF OFFICERS UNTIL COMMISSIONER DARLING'S ARRIVAL. SECONDED BY COMMISSIONER JOUSMA-MILLER. MOTION CARRIED UNANIMOUSLY.

APPROVAL OF NOVEMBER 9, 2004 MEETING MINUTES

MOTION: COMMISSIONER JOUSMA-MILLER MOVED APPROVAL OF THE NOVEMBER 9, 2004 MEETING MINUTES. SECONDED BY COMMISSIONER BYRUM. MOTION CARRIED UNANIMOUSLY.

NEXT MEETING:

The next meeting of the Commission of Agriculture is scheduled for February 10, 2005, in Lansing. Commissioner Wyant noted that the March meeting has been changed from March 8 to March 10 in order to meet jointly with the Department of Natural Resources Commission in the afternoon. Details to follow.

APPROVAL OF COMMISSIONERS' TRAVEL:

Commission Jousma-Miller attended several Bovine TB meetings in the Upper Peninsula.

Commissioner Maitland attended the Fruit & Vegetable Expo in Grand Rapids in December and the Michigan Farm Bureau Annual Meeting in Traverse City.

Commissioner Darling attended the Michigan Farm Bureau Annual Meeting in Traverse City.

MOTION: COMMISSIONER BYRUM MOVED TO APPROVE THE ABOVE TRAVEL FOR THE COMMISSIONERS. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED UNANIMOUSLY.

COMMISSIONERS' COMMENTS

Commissioner Jousma-Miller reported that six meetings were held in the Upper Peninsula (UP) to update producers on the application for TB free status for the UP. Dr. Steve Halstead attended these meetings and Kevin Kirk discussed the Electronic Identification (EID) tags. This provided an opportunity for producers to ask questions and clarify issues. In total, over 200 people attended. The EID system was introduced at the Michigan State University (MSU) Field Days last August. Since then, 5,243 tags were ordered for the UP. Upon completion of the six meetings, 18,337 tags had been ordered by 81 producers. These meetings were extremely valuable to encourage the producers to participate in the program as part of the effort to seek TB free status in the UP. Producers noted that the last incident of Bovine TB in the UP was thought to have been 1953.

93% of the people attending the meetings intend to participate in the EID tag program. 64% felt it was extremely important to be able to sell their cattle outside of Michigan. 60% thought the TB situation was discouraging for

expanding their business or encouraging others to get into agriculture. Over 80% had a good understanding of the TB eradication program, the tag program and the TB free status for the UP. Senator Michael Prusi attended two of the meetings. The major concern of the producers is the continued surveillance at the Mackinac Bridge and educating the Mackinac Bridge Authority. One of the recommendations was to reach out to those producers who did not attend these meeting; i.e. a booth at county fairs. Also discussed follow up meetings in adjacent states. Dr. Michael VanderKlok has visited Minnesota, with plans for Director Wyant to make a follow up visit. The meetings were very well received.

When the hunting season was completed in Wisconsin, 22 cases of Chronic Wasting Disease (CWD) were identified in the southern part of that state.

The largest land deal in the UP (271,000,000 acres) at \$57.9 million is taking place. There are mixed emotions from those in the UP. Some feel that enough land has been set aside. However, for the first time, this land will have an active forestry production that is an important economic factor.

(Commissioner Darling arrived at approximately 9:40 a.m.)

Commissioner Byrum welcomed the Commission to the Michigan Agri-Business Association Winter Meeting. He noted the activities occurring and encouraged participation in the sessions and trade show.

He reported that fertilizer is short, price increases are occurring in every aspect of agriculture up to 20%. Because the value of the dollar and amount of imported product, those prices will increase. Equipment prices are also increasing.

Overall, crops and prices were decent. There should be more export opportunities in 2005 because the dollar is worth less.

Commissioner Darling attended the Michigan Farm Bureau Annual Meeting and, along with Director Wyant, judged the Discussion Meets. He noted that it was exciting to participate and see the enthusiasm and intellect coming in the industry; it reflects a bright future. He also visited the MDA regional office in Traverse City. (Note: this travel was added to the earlier Motion to Approve Commissioners Travel.)

There is a lot of snow in southeast Michigan, but no frost in the ground. There was some concern with the wheat crop with standing water as the snow came in. With the changes in weather, there may be issues with the crop. Crop prices are going down.

Some farmers have expressed concern over the Canadian beef issue and how it reflects on Michigan farmers.

The Michigan Corn Growers Association state winner for corn yield was 254 bushel per acre, un-irrigated, from Triple K Farms in Burt, Michigan.

Commission Norton briefly shared his background with the Commission. He holds a BA in Political Science from Kalamazoo College. He participated in the Michigan Agricultural Leadership Program in the mid-1980's and traveled to China, Thailand and South Korea. He is part of a family partnership that farms standard commodity crops in addition to a hog and beef operation. He is active on many community boards and looks forward to contributing to the work of the Agriculture Commission.

Commissioner Maitland attended the Michigan Farm Bureau Annual Meeting and was also a Discussion judge and visited the MDA regional office. He also attended the Fruit and Vegetable Expo in Grand Rapids in December. The new exhibit space was fully functional this year and the new show format of combining the fruit and vegetable growers at the same show has been successful.

ELECTION OF OFFICERS

Commissioner Darling nominated Commissioner Byrum for Chairperson, Commissioner Maitland for Vice-Chair and Commissioner Jousma-Miller for Secretary.

MOTION: COMMISSIONER NORTON MOVED TO APPROVE THE PROPOSED SLATE OF OFFICERS FOR 2005. SECONDED BY COMMISSIONER JOUSMA-MILLER. MOTION CARRIED UNANIMOUSLY.

(The gavel was passed to Commissioner Byrum.)

(The floor was yielded for Public Comment.)

PUBLIC COMMENT

David Morris addressed the Commission regarding Purchase Development Rights (PDR) Programs. Mr. Morris farms several hundred acres near Grand Ledge and is very concerned about these programs.

A year ago at the county FB annual meeting there was a resolution to support this program. There was discussion prior to the vote and the resolution was defeated with only 4 or 5, out of approximately 150, voting for the resolution. A year ago, Clinton County began reviewing the local zoning ordinance. He

commented and received support from several attending the meeting. He also attended the Michigan Farm Bureau (MFB) Annual Meeting in Traverse City and spoke during the Open Session and received support from several attending the meeting. He has spoken to the board committee chair of the MFB to consider their position on PDR.

To sign an agreement with government that they will control the future of our land is pure socialism. Socialism has proved for many years in many areas of our world that it does not work. Our country is what it is because of free enterprise. People have lost their lives and risked their future to come to this county because of the opportunity to own land and the right to make decisions. He is very concerned that we are taking a route in the name of farmland preservation that could destroy us. He owns 1,800 acres and works hard. He started with 200 acres with his dad and now owns 1,800 acres of prime land. He knows what it is to own land and work hard and would by no means give the future of it over to the government. He is concerned that people are taking this route not recognizing the future for other people within their generation or otherwise. Soji Adelaja was hired by Michigan State University (MSU) Dean Jeff Armstrong. His objective is to preserve farmland, but understands you do it through profitability. Michigan has done some wonderful things to preserve farmland. Mr. Morris was involved in writing PA 116 which is a good program, but feels some changes should have occurred more quickly.

He supports government and has been involved. He feels we should do more to protect farmland and that times are changing. He encouraged the Commission to think seriously about these programs and will be encouraging Michigan Farm Bureau to think seriously about it. People are beginning to recognize the seriousness of this program, it's pure socialism and the farmers don't want it. There are ways to preserve farmland. He would not object to the contracts if they had a termination date.

DIRECTOR'S REPORT

Director Wyant welcomed Commissioner Norton and commented that his experience and knowledge will be very helpful to the Commission.

He also thanked Mr. Morris for coming and sharing his thoughts and comments about farmland preservation and development rights.

Director Wyant shared information about meetings of interest that occurred over the last two months.

We are in the development process of the 2006 budget year. Last month's projection showed a significant deficit. That includes a combination of issues: manufacturing job loss, tax cuts, structural deficits, spending issues. The current

operating budget indicates an approximate \$350 million deficit issue. The plan is to deal with the current deficit problem at the same time as introducing the 2006 budget recommendations in February. The State of the State address is tentatively scheduled for February 8. Shortly thereafter Mary Lannoye will present the 2006 budget recommendation in addition to the recommendations to relieve the current budget deficit.

The new budget process, outcome-based budgeting, is new to state government. It requires each department to set priorities, establish costs related to those priorities, focus on value and what is important to citizens of Michigan and look for efficiencies in the process.

The Governor is focusing on six priority areas: education, the economy, the environment, better government, homeland security and health. MDA programs fit into five of the six priority areas. Food safety continues to be a top priority; along with plant and animal protection, including invasive species of plants and foreign animal diseases; environmental stewardship; and consumer protection programs (e.g. gasoline inspection program and weights and measures). At risk are some general fund grants and it will not be easy to make reductions.

Some horse race revenue comes into the department and we are working with the horse industry to evaluate how those dollars are spent.

Commissioner Byrum asked about filling vacant positions and personnel. Director Wyant said some of that is dependent upon the general fund target that we will be expected to meet.

Brad Deacon has been moved into the Emergency Management Coordinator position, Agriculture Commission Liaison and Department Hearings Officer, but will continue to act as the Legislative Liaison until that position can be filled.

Sara Linsmeier-Wurfel has moved to Oregon and Jeanne Lipe will fill in as Acting Communications Director. Dominic Perrone will help with media while continuing to work with the Office of Racing Commissioner as their media communications contact.

Filling other positions will be put on hold. We do have flexibility to move on necessary positions, but there is a freeze on any new hiring. An exemption from Department of Management and Budget is required for any new hires. There will be some stress on staff as we continue to see retirements and natural movement out of the department.

In perspective, the budget deficit puts MDA into a five to eight percent general fund reduction.

The partnership between MDA, Department of Natural Resources and Department of Environmental Quality has been strengthened through the new budget process as there are many joint issues.

Visits to new legislators have begun with the 39 new House members as well as getting reacquainted with the legislature.

Racing Commissioner Bob Geake's term expired at the end of December. The Governor's office is working on a replacement. In the meantime, Jim Bowes will take the lead on issues.

Meetings were held with USDA in Washington, DC regarding future funding for Emerald Ash Borer. The cooperative agreement with USDA APHIS expires the end of January. The operating agreement is expected to be extended and that will keep the program moving forward. Negotiations continue on the amount of funding for the program. This is a high priority to keep resources coming to Michigan to help deal with this issue.

Through legislation, the Michigan State Fair was transferred from MDA to the Department of Management and Budget. The new act creates a State Fair Authority. The transfer becomes effective in March and the new Authority will require nine appointments, all those currently on the State Fair Advisory Board will have an opportunity to be re-appointed. The manager is appointed by the Governor and there are specific requirements in the act in respect to annual budgets and a five-year strategic plan. MDA still sits on the Authority as an ex-officio voting member, along with DMB. MDA will continue to play a role in the Michigan State Fair and will work toward a smooth transition. Director Wyant stated that MDA is committed to working with the Michigan State Fair on the Agriculture Building, Governor's Luncheon and Youth Livestock Auction. Our role and responsibilities with veterinary inspection service and food safety inspections will continue.

Premium payments from the 2004 Michigan State Fair were made in December.

The Agriculture Commission will meet jointly with the DNR Commission on March 10 in the afternoon at the Animal Health Diagnostic Lab (AHDL). Tentatively, the Agriculture Commission will meet in the morning at the Geagley Laboratory, tour the AHDL in early afternoon with the DNR Commission, then meet with DNR Commission around 2 p.m. Topics: status of Bovine TB program (enforcement, feeding, baiting, hay bales, deer numbers, number of infected herds, incident rate within the wild herds), bio-security on farms, CWD, EAB and other issues of joint concern.

Staff are following issues related to PA 232 (Agriculture Commodities Marketing Act) including a couple of court cases challenging the validity of the act and assessment collection issues in the apple, cherry and corn industry.

Michigan Department of Environmental Quality has announced a series of workshops on permit requirements for Concentrated Animal Feeding Operations (CAFOs). They will be held in Kalamazoo on February 3, Comstock Park on February 8 and Frankenmuth on February 10.

A dairy inspector has been hired for the Upper Peninsula.

Visits to Wisconsin and Minnesota will be made to discuss the TB status of the UP and the need for status recognition from surrounding states. We need to make sure we have a visible, increased presence at the Mackinac Bridge, in order to obtain increased support from the other states.

Director Wyant briefly discussed other activities of interest that have occurred including Michigan Harvest Gathering reception, meeting with producers in NE lower Michigan regarding TB status, Christmas tree media event, Commodity Executives meeting, Great Lakes Ethanol project update, Michigan Food Processors Association meeting, and the MDA Awards Ceremony where Jeff Haarer was announced as MDA Employee of the Year.

APPROVAL OF DIRECTOR'S TRAVEL

MOTION: COMMISSIONER DARLING MOVED TO APPROVE DIRECTOR'S TRAVEL TO THE NASDA MID-YEAR MEETING IN WASHINGTON, DC, FEBRUARY 18-22, 2005. SECONDED BY COMMISSIONER MAITLAND. MOTION CARRIED UNANIMOUSLY.

Plant Health Update: Kenneth Rauscher, Director, Pesticide & Plant Pest Management Division; Pat Lockwood, Emerald Ash Borer Coordinator

Ken Rauscher distributed handouts relative to recent activities in the EAB program. He discussed quarantine, final trap tree results, 2004 Accomplishments and 2005 Next Steps, Strategies and Funding Needs.

On December 27, 2004, Director Wyant signed a revised quarantine for EAB to include seven additional counties: Saginaw, Gratiot, Clinton, Eaton, Calhoun, Branch and Hillsdale. In addition, 13 isolated quarantined areas were added. This represents an aggressive quarantine, a reflection of better survey data from the past year.

The quarantine area has been revised to drop the core area concept and now includes a straight quarantine area. The firewood quarantine was changed to eliminate Conifers leaving only deciduous firewood that is regulated.

The outlying isolated quarantined areas represent a one to two mile buffer around infestations.

Mr. Rauscher discussed the trap tree data collected. About 10,000 trees statewide (4-10 inch trees) were used as trap trees. Approximately 51 adults were trapped, 64 larvae and a combination of adults and larvae in 32 trees were discovered during girdling. The trap tree data provided a cleaner picture of where the beetle is found in Michigan. This program will probably be used again in 2005.

He briefly discussed the 14 outlier areas.

The Science Panel for EAB met in early December. An initial report includes a recommendation that the Task Force review "gateways of exit" for infestations (those areas most significant for the pest to spread.) The concern is the ash resource in North America, notably the area of the Mackinac Bridge, the area along the St. Clair River across from Canada, and the areas of northern Indiana and Ohio. They are suggesting a concentration of resources in those "gateways of exit". Mr. Rauscher reviewed the 2005 strategy that includes that recommendation.

He also briefly reviewed the 2004 Accomplishments Report.

Director Wyant shared information regarding the trip to Washington, DC with Pat Lockwood, Ken Rauscher and Christine White. They visited with Michigan's congressional delegation, the Midwest Governor's Association, other state representatives and United States Department of Agriculture (USDA) Animal Plant Health Inspection Service (APHIS). The cooperative agreement will be continued and resources will come to Michigan and the program will continue. Staff is working on an international strategy in partnership with Indiana, Ohio, the Province of Ontario, USDA APHIS and the Forest Service. Research partners are Michigan State University, Ohio State University and Purdue University's Extension Service.

One of the primary issues is an evolving federal scientific panel strategy. They are trying to make a determination of the best strategy to prevent the spread of the insect. The "gateways of exit" will receive a lot of attention to minimize exposure at the Mackinac Bridge, Indiana/Ohio border and Lake St. Clair. We will also be challenged with the amount of resources we receive. We are competing with many other priorities at the federal level, and competing

nationally within APHIS (e.g. citrus canker in Florida and Sudden Oak Death in the west) with other plant and animal issues. There will be also some transition with a new Secretary of Agriculture.

Pat Lockwood stated that in order to have an effective program, there must be dollars to back it up. There are various scenarios dependent on budget and the Science Panel recommendations and we will be able to move forward once funding has been determined and continue the good work that has already been done.

She commented about the contract program the Governor asked MDA to initiate along with DMB. The new program will offer municipalities and homeowners the availability to access the state's contract for cutting down ash trees. This will apply to the 20 quarantined counties of the state. There are 26 pre-qualified contractors. The municipalities will act as municipal coordinators for the contract to cut down front and backyard trees, as well as municipal right-of-way trees.

Next is a restoration piece with DNR and an educational component that will offer a career path through several arenas (e.g. they will be able to re-do ball fields and work with community colleges to institute programs for individuals to participate in internships.)

In response to a question from Commissioner Darling about research news, Mr. Rauscher reported that there is not yet a pheromone trap, but work is being done. It will not be a typical pheromone trap, but a more complex trap that includes some other aromatics that works in conjunction with the trees themselves. Some pesticides are available that are effective to a certain level. Mr. Rauscher stated that bio-control is likely the answer. There are two promising organisms being reviewed in China.

Woodpeckers take out about 20% of the population in heavily infested areas and are a good survey indicator.

Mr. Rauscher discussed the importation of another pest at Christmas time in artificial trees from overseas. The artificial trees had a wood base and were not treated properly or made it through customs inappropriately.

Director Wyant stated that one of the messages he carries to USDA is that they must continue to play a role in the inspection of imported materials.

Commissioner Jousma-Miller stated that another area that might be considered would be trade agreements. Also, fines should be increased on violations and the Michigan State Police (MSP) should play a larger role. In addition, adding a

person for surveillance at the Mackinac Bridge with increased signage and communication to the public should be considered.

Ms. Lockwood stated that work is underway with the legislature to increase fines and that cooperation with MSP has increased.

Mr. Rauscher indicated that they are working with the Animal Industry Division to hire a person with dual responsibilities located at the bridge to work with the EAB program and TB program. Also, increased inspections will begin at Motor Carrier Weigh Stations through MSP.

Legislative Update: Brad Deacon

Mr. Deacon reviewed the final status of legislative activity for the session just ended. In addition to passing the State Fair bill, the legislature passed and Governor Granholm signed an extension of the sunset on the Natural Resources Commission's ability to regulate feeding of deer and elk.

A bill sponsored by Rep. Sheltroun that allows Conservation Districts to conduct voting by mail was approved and signed by the Governor.

In review, the budget and supplemental bills, including supplementals that cut budgets, were priorities to track. The creation of the grain insurance program is a major policy step and was effective as of January 1, 2005. There were bills on water reporting and irrigation that passed as well as an entire package of more than 30 bills introduced that affected MDA on licensing timelines. A bill that authorized a loan to sugar beet growers to help the sugar industry was passed and signed. A bill that improved notification on pesticide application, particularly in schools and day care centers, was passed and signed. Labeling requirement for ethanol was eliminated in the last session. There was also legislation passed for application of pesticides to lakes for aquatic nuisances, non-native species in particular.

The Drain Code received some attention, but probably will not in the coming year. A bill that left committee, but was not acted upon on the Senate floor, on farmland taxation will probably return in the text session.

There were a number of bills on water and water legacy that are expected to return as well as continued interest in bottle deposits. The bio-diesel bill will probably return trying to create more markets. The legislature also spent time on horse racing but did not result in anything sent to the Governor.

The new legislature starts on Wednesday and that will be the first day bills are introduced. House committees have not yet been announced, although some

chairs have been. Visits with new legislators have started and staff will continue to bring agriculture issues to their attention.

A couple of issues to be worked on this session include the plant pest act to increase penalties and migrant labor housing to add a provision for an administrative fine for operating without a license.

PUBLIC COMMENT

Sue Bila, Michigan Festivals & Events Association (MFEA), reviewed the purpose of MFEA and outlined successes and future plans for the organization. A new service they will be offering is to analyze an individual event's economic impact on the local community, thanks in part to a grant received from USDA to replace their computer system. They are in the preliminary stages of moving to a new location and hope to offer onsite training to their members and create a central location for people to visit and learn about festivals and events.

RECESS

The meeting was recessed at 11:55 a.m.

RECONVENE

The meeting was reconvened at 1:30 p.m.

Environmental Stewardship Division Accomplishments: Vicki Pontz, Director, Environmental Stewardship Division

Ms. Pontz reviewed the program accomplishments for the Environmental Stewardship Division.

The Conservation Reserve Enhancement Program (CREP) has 4,052 contracts covering 47,896 acres. CREP has a Livestock Access Program component, water quality component and wildlife habitat component.

The Forestry Assistance Program is provided in 46 Michigan counties. The Department of Natural Resources (DNR) provided \$1 million to hire 20 foresters through conservation districts who assist landowners plan forestry practices that will meet their goals (e.g. wildlife habitat or timber harvest.)

The Michigan Agriculture Environmental Assurance Program (MAEAP) now has three systems available: livestock, farmstead and cropping. 750 producers and Technical Assistance Providers attended the Phase I Educational Sessions (approximately 3,000 over the 3 years of the program.) Sixty-four Livestock System verifications have been completed with 38 pending. Twenty-five Farmstead verifications have been completed over half of which are fruit producers from northwest Michigan. Six more are pending. The Farmstead System assesses risk of groundwater contamination. The newest system is the

cropping system. Technicians have been trained and will be conducting a pilot starting this winter and over the summer with a limited number of growers. There will be a general workshop at the Agriculture Conference on the Environment to introduce growers to the new system. The cropping system looks at nutrient and pest management, irrigation management, soil and water conservation and pasture management.

The Groundwater Stewardship Program assisted over 650 farmers and 4,700 homeowners to identify and reduce groundwater risks in 2004. In total, 13,000 farms have completed a risk assessment.

The Pesticide Container Recycling Program recycled 38,420 pounds of pesticide containers; properly disposed of 197,322 pounds of pesticides and has 15 permanent Clean Sweep Site in Michigan. The program is being modified to accept mini-bulks and 30-gallon drums.

The Groundwater Monitoring Program screened 3,323 wells for contamination and sampled 2,283 drinking water wells.

The Groundwater Stewardship Turfgrass Program worked to reach over 900 golf courses with an environmentally proactive message. Fifty-one of the 230 members have been certified. There were 67 formal site visits with 865 improvements in pesticide handling, 366 improvements to pesticide/fertilizer storage, 333 fuel storage upgrades, 530 wells safeguarded, 39,000 linear feet of waterways protected, 440,000 square foot buffer areas installed and 82 acres of wetland created or improved.

All these programs are delivered primarily through Conservation Districts. MDA staff works with the Conservation Districts on local resource assessments, work plans, annual budgets and there is also an audit provision. Conservation District funding is critical as 84 employees are accessed and all of those employees are funded with either federal or restricted funds.

Ms. Pontz introduced Mark Swartz, the new Resource Conservation Section Manager. The Migrant Labor Housing Program is housed in the Resource Conservation Section and last year inspected and licensed almost 4,000 living units at 824 locations. This provides safe and healthful housing for 22,609 workers. 38 fruits and vegetable crops are reliant on hand labor with a production value of \$2.1 billion. Improvements to 124 living units were realized and 33 new living units established. Over \$1 million was added to the local economy.

The Right to Farm Program handled 121 new environmental complaints, 102 follow-up inspections, 5 pro-active inspections, 137 complaint files closed and

only four cases transferred to DEQ. This program work resulted in 39 Manure Management System Plans for 12,302 animal units on 16,852 acres. There were 35 new siting applications; 23 approved to date with 48 inspections conducted.

The Biosolids Land Application Program is primarily a DEQ permit program, but MDA receives some funds (\$70,000 per year) to promote the use of biosolids on agriculture land through education of landowners, local government and citizens.

Water Resources Program includes the Intercounty Drain Program. Four staff members handled approximately \$15.2 million worth of drain apportionment through new petition projects and private and grant funds for improvement projects. They also get involved with Clean Michigan and Federal Emergency Management Agency (FEMA) funding. 1.3 million acres received either new or improved drainage.

A new program this year was Water Use Reporting. 1,042 have registered indicating the capacity to pump over 100,000 gallons per day. By February 15, 2005, they will report their actual water use in 2004. By April 1, 2005, the information will be transferred to DEQ on a township level.

There was a brief discussion about water use in the industry. Commissioner Maitland asked if the same water use information could be collected from neighboring states.

Another new program this year was Water Use Conflict. Nine complaints were received against agricultural high capacity wells. Farmers replaced six wells, two were not verified, and one complaint was resolved. All complaints were resolved by MDA and none were referred to DEQ. All nine of the complaints were against a single producer.

The Farmland Preservation Program renewed 4,488 Farmland & Open Space Preservation Agreements. 2,112 agreements will expire for a total of 46,625 agreements. The Purchase of Development Rights Program realized 466 new acres purchased and 343 new acres donated. 15,549 acres are permanently protected by the state, 5,120 acres protected by local conservancies and 3,500,000 acres in PA 116.

Commissioner Byrum commended Ms. Pontz on the presentation and the work the Environmental Stewardship continues to do.

Emergency Management Update: Brad Deacon, Emergency Management Coordinator

Mr. Deacon distributed the Evaluation Booklet from the Functional Exercise completed on December 7, 2004. The Department of Homeland Security at the federal level directed, and funded, that all states should be conducting emergency management drills. MDA's exercise was held on December 7 while the statewide exercise run by MSP occurred on December 10. MDA was allowed to set goals and design scenarios and was very pleased with the drill. The members of the Agriculture Commission were contacted as a part of that exercise.

The purpose of the drill was to review and test MDA's emergency response procedures, test notification within MDA and with external stakeholders, test our ability to retrieve information in a very short period of time, test communication with other state departments, and in general test response.

There were a number of scenarios that affected each division, testing Lansing and regional staff and ultimately the majority of the entire staff.

MDA was pleased with the response. There were a number of recommendations that require follow-up as well as requests for more narrowly focused drills.

Director Wyant commented that he is impressed with the professionalism and hard work that has gone into the emergency management plans over the last two years. It strengthens our ability to respond and we will be judged by our effectiveness and speed of response.

Animal Health Update: Dr. Steve Halstead, Director, Animal Industry Division

Dr. Halstead updated the Commission on activities in the TB program. Dr. Halstead and two staff members worked with Commissioner Jousma-Miller in the UP conducting six meetings in three days and met with a favorably strong reception from the producers. They shared the status of the TB program and discussed animal identification and received feedback from the producers. For the most part, they were very receptive to the approach taken and for the TB free status project. USDA is considering the application and it will take several months for response.

Part of the approach will be controls at the Mackinac Bridge. Currently, the Bridge is being staffed between 30-35 hours per week to monitor livestock traffic, primarily from south to north. Staffing currently occurs when livestock would most likely be moved. Surveillance activity will be increased as another staff person is being added whose job will be 85-90% at the bridge monitoring traffic, hopefully by the end of next month. The Pesticide and Plant Pest Management Division will also be placing a staff person at the Bridge and will share the

responsibility of looking at plant materials and cattle. There will more complete coverage that will be rotated so that the schedule will not be predictable.

Dr. Mike VanderKlok traveled to Minnesota to meet with Agriculture Commission and the state veterinarian's office sharing with them Michigan's activities to control TB and protect the UP. They do not see that cattle from the UP will be a problem and look toward receiving Michigan cattle in Minnesota when TB free status is achieved.

Some discussions have occurred with Indiana and Ohio and they are of similar opinion. Hopefully, the response from Minnesota will serve as a foundation for change in other states.

Commissioner Norton commented that Indiana has not yet changed their rules to accept Michigan cattle. Dr. Halstead said they are working on it. In Indiana, statutes need first be changed before any livestock can be admitted. Wisconsin seems to be the most resistant.

The National Institute of Animal Agriculture interviewed Kevin Kirk from the Animal Industry Division about the animal identification project, Michigan is setting the standard for the US animal identification program.

Electronic identification is required for animals in the modified accredited zone, but animals in the modified accredited advance zone can be identified any way that is recognized as official. MDA encouraged producers in the UP to get on the EID program because it is a smaller segment of the cattle operators and number of head in the state and had an incentive program where MDA can cover half the costs of the tags. Before the meetings in the UP, there were 5,200 tags that had been purchased by producers. After the meetings, there were 81 producers and 18,000 tags.

A press release from last week gained attention regarding the deer hunter who lacerated himself while field dressing his deer that tested positive for Bovine TB. It was picked up nationally. This was used to emphasize this is not just a disease of economic importance and concern to producers, but there are real health concerns related to TB. This is an unlikely way to contract TB, but the incident happened. The hunter will be fine and there is no risk in transmission to other humans. Fortunately, the hunter was aware and noticed there was something wrong with the carcass and contacted authorities.

Commissioner Darling asked what the impact would be in the sportsmen community, and wondered if the Natural Resource Committee (NRC) is going to reevaluate their position that this is not a social issue, but a health/science issue. The concern is that this will impact the deer hunters in that area where they so

heavily depend on tourism and agriculture needing hunters there to take deer down. Dr. Halstead stated that the topic did come up at the NRC meeting and their position was that it would not affect hunting in that area that hunters need to take precautions. Simply wearing the appropriate gloves would have protected this hunter.

There will be further discussion at the joint meeting in March regarding baiting in relation to this issue. There was a brief discussion about rewarding hunters for turning in diseased deer.

Director Wyant requested Dr. Halstead work with Dr. Steve Schmidt from DNR to present an update on the science of baiting and feeding at the February 10, 2005 meeting.

There was an interesting issue with a hunter from Wayne County that had taken deer from two different locations. The Wayne County deer was tested and because of a mistake with tagging, was identified as being TB positive. DNR was able to take information and specimens they have stored in freezers and compare the DNA from that deer and DNA from deer collected throughout the state and prove that deer was not a Wayne County deer because it was not a DNA match, but an Alcona County deer based on the DNA.

USDA has released a new Uniform Methods and Rules for Tuberculosis. Staff will review and note changes. Details to follow.

Surveillance and samples in privately owned cervidae are still being taken to test for CWD. Through the 2004 calendar year there were 2,674 samples taken, primarily white tail, and were all negative. They were also negative for TB.

In response to a question from Commissioner Norton, Dr. Halstead said there is no scientific proof that CWD can spread from deer to cattle, but the possibility does exist.

Commissioner Jousma-Miller asked Dr. Halstead about USDA lifting the embargo on Canadian beef. Dr. Halstead stated that Canada has announced that they have a third positive animal for BSE, coming from a source herd of 93 animals. They have traced about 1/2 of the animals that were culled or slaughtered. They have traced them, not to the same operation, but from the same general area where the feed supply was probably common. USDA has released a proposed rule that will allow counties designated as low risk to import or ship cattle or cattle products to the United States. That means they can have as many as 11 BSE identifications in a year and still be classified as low risk based on the size of their total herd. They do have feed bans in place as we do in the United States.

Comments are due on the proposed rule by March 7, 2005 and if not persuaded otherwise, the rule will go into effect.

In December there were two cases of equine herpes diagnosed at Northville Downs Racetrack. Track officials were able to quarantine the barn and stop horse movement in and out of the barn. The track remained open. Both horses have since died and cremated. Contacts are being traced. No other incidents have been connected. Quarantine should be released in two weeks. Horsemen are still using the facility.

There is a rabbit producer in St. Johns that has asked for help in determining why 100 of his 300 rabbits have died. Samples have been sent to the Animal Health Diagnostic Laboratory for testing and diagnosis.

PUBLIC COMMENT

Ron Nelson, representing Michigan Farm Bureau (MFB), provided the Commission excerpts of the Michigan Farm Bureau Policy Book related to Purchase Development Rights as commented upon during the morning Public Comment. The formal book should be published in approximately three weeks. The current policy book is available on the Michigan Farm Bureau website.

In addition, he stated that MFB is concerned about the budget and where cuts will be made within the Department. He expressed MFB's interest in working with the Department and legislature regarding those cuts.

ADJOURNMENT:

**MOTION: COMMISSIONER MAITLAND MOVED TO
ADJOURN THE MEETING. COMMISSIONER JOUSMA-MILLER
SECONDED. MOTION CARRIED UNANIMOUSLY.**

Meeting was adjourned at 2:53 p.m.

ATTACHMENTS

A - Minutes of November 9, 2004 Commission of Agriculture meeting

B - Plant Health Update

C - Environmental Stewardship Accomplishments

D - Legislative Report

E - Emergency Management Update

F - Animal Health Update

