

**STATE OF MICHIGAN  
COMMISSION OF AGRICULTURE  
MEETING MINUTES**

Prior to the Michigan Commission of Agriculture (MCA) meeting, Commissioners and Michigan Department of Agriculture (MDA) staff toured Coloma Frozen Foods, Inc., Coloma, Michigan.

CALL TO ORDER:

Vice Chairperson Norman R. Veliquette called the MCA meeting to order at 3:33 p.m., September 10, 1996. Commission Secretary Douglas Darling called roll; a quorum was present to do business. Meeting was held in the Parkview West Room, The Boulevard Hotel, 521 Lake Boulevard, St. Joseph, Michigan. Meeting was held in conjunction with the Michigan Grape & Wine Council (MGWC) meeting.

**Commissioners Present:**

- Shirley A. Skogman, Chairperson (arrived at 4:00 PM)
- Norman R. Veliquette, Vice Chairperson
- Douglas E. Darling, Secretary
- David Crumbaugh
- Jordan B. Tatter

**MDA Staff Present (during portions of the afternoon):**

- Dr. Gordon Guyer, Director
- Daniel J. Wyant, Director Designate
- Keith Creagh, Deputy Director
- Robert Craig, Director, Agriculture Policy and Special Projects
- William Baney, Acting Regional Manager, MDA Region V
- Katherine Fedder, Manager, Market Development Division
- Charlie Hackensmith, Officer-in-Charge, Benton Harbor Market News Service
- Carol Miller, Benton Harbor Market News Service
- Richard Ostrander, Manager, Upper Peninsula (U.P.) State Fair
- Vicki Pontz-Teachout, Director, Office of Legislative Liaison
- Karen Wenk, Program Manager, MGWC
- Jean Valley, Executive Secretary to the Commission

**Legal Counsel:**

- Jann Ryan Baugh, Assistant Attorney General
- LuAnn Cheyne Frost, Assistant Attorney General

**Michigan Grape and Wine Council:**

- David Braganini, St. Julian Wine Company, Inc.
- David Creighton, Field Representative MGWC
- Paul Howland, Michigan Jobs Commission
- Mark Johnson, Chateau Chantal
- Dr. Wayne Loescher, Chairman, Department of Horticulture, Michigan State University (MSU)
- Ed O'Keefe, Chateau Grand Traverse
- Ed Oxley, Oxley Farms

**Others Present (during portions of the afternoon):**

- Bruce Abbe, Communicating for Agriculture
- Mike Bailey, Department of Natural Resources (DNR) Wildlife Division
- Ron Bodtke, Michigan Cranberry Council
- Phyllis Dowsett, Executive Director, Southwestern Michigan Tourist Council and Pick Michigan
- Michael Eliasohn, Herald Palladium, St. Joseph
- Harold and Carol Goodell, Dowagiac
- Charles LaSata, Mayor, St. Joseph
- Wayne Maley, Wood Personnel Services, Inc.
- Gerry Olson, Baylands Speedway
- Herb Teichman, TreeMendus Fruit, Inc.
- David Upton, Tabor Hill Winery
- David Wirth, National Council of State Agriculture Finance Programs
- Paul and Suzanne Wicks, Wicks' Apple House/Plainview Orchard

**GREETINGS:**

Commissioner Tatter introduced Mayor Charles LaSata, Mayor of St. Joseph, who welcomed the Commission to St. Joseph. Mayor LaSata related that early in the century fruit was shipped from St. Joseph harbor, and presently efforts are under way to develop a barge facility in St. Joseph for shipping commodities and other products. St. Joseph is the commercial hub of the county. Agriculture is important to St. Joseph bankers, lawyers, insurance agencies, and residents of southwest Michigan.

APPROVAL OF AGENDA:

**MOTION:**

APPROVAL OF MINUTES:

**MOTION:**

NEXT MEETING:

COMMISSIONERS' PER DIEM  
AND TRAVEL EXPENSES:

**MOTION:**

DIRECTOR DESIGNATE'S  
OUT-OF-STATE TRAVEL:

**MOTION:**

Commissioner Darling moved to approve the agenda as presented. (Seconded) **Motion carried unanimously.**  
Commissioner Tatter moved that the minutes of the August 14-16, 1996, Michigan Commission of Agriculture Meeting be approved. (Seconded) **Motion carried unanimously.**  
**The next regular meeting of the MCA will be held October 10-11, 1996, in the Dean M. Pridgeon Room, MDA, Lansing, Michigan.**

Commissioner Tatter moved that per diem and travel expenses be approved for:

- August 21, 1996--Agricultural Advisory Committee Meeting at Michigan Farm Bureau, Lansing: Commissioner Douglas E. Darling;
- August 29, 1996--Dickinson County Fair, Norway, Michigan: Commissioner Shirley A. Skogman;
- September 4, 1996--Michigan Farm Bureau Young Farmer District Discussion Meeting, Escanaba, Michigan: Commissioner Shirley A. Skogman;
- September 6, 1996--MDA 75th Anniversary Recognition at Saginaw Fair, Saginaw: All Commissioners;
- October 10-13, 1996--Great Lakes International Draft Horse Show, Detroit, Michigan--All Commissioners; and
- October 31-November 3, 1996--Michigan Festivals and Events Annual Convention, Radisson Plaza Hotel, Kalamazoo, Michigan--All Commissioners,

(Seconded) **Motion carried unanimously.**

Commissioner Darling moved that Director Designate Daniel J. Wyant is authorized and travel is approved for him to represent the Michigan Department of Agriculture at the Annual Meeting of the National Association of State Departments of Agriculture, Lake Geneva, Wisconsin, September 22-24, 1996. (Seconded) **Motion carried unanimously.**

INTRODUCTION OF MGWC:

Karen Wenk welcomed the Commission and introduced the council: David Braganini of St. Julian Wine Company, Inc. (1996 winner of the Best of Show--Red at the State Fair); Ed O'Keefe of Chateau Grand Traverse; Paul Howland, Michigan Jobs Commission; Dr. Wayne Loescher, Chairman, MSU Horticulture Department; Ed Oxley, grape grower from Lawton; Mark Johnson of Chateau Chantal; and Katherine Fedder, MGWC chair. She also introduced David Upton, a former council member and owner of Tabor Hill Winery (1996 winner of the Best of Show--White).

Mrs. Wenk thanked Dr. Guyer for helping arrange an auction of the Best of Show Wines at the State Fair and his ongoing promotion of Michigan wines.

Vice Chairperson Veliquette expressed the Commission's pleasure to be in southwest Michigan and to meet the Council.

COMMISSION RESOLUTIONS:

MOTION:

Dr. Guyer presented a proposed resolution recognizing Michigan farm markets (Attachment A) for MCA adoption. Commissioner Tatter moved that the resolution recognizing Michigan Farm Markets (Attachment A) be adopted and appropriately published. (Seconded) **Motion carried unanimously.**

MOTION:

Commissioner Darling moved that the resolution honoring Dr. Gordon E. Guyer for his service to the State of Michigan and agriculture and upon his retirement from the Michigan Department of Agriculture be adopted.

(Seconded)

Commission Secretary Darling read the resolution (Attachment B).

Mr. Wyant said the weeks of the transition and opportunity to mentor under Dr. Guyer have been an outstanding experience, and Dr. Guyer is an outstanding leader and ambassador for MDA. The Governor has great respect and appreciation for Dr. Guyer's leadership. MDA is unique in state government as a responsive, problem-solving agency. Mr. Wyant thanked the Director for working with him during recent weeks and for his service to MDA.

Commissioner Crumbaugh commended Dr. Guyer for his emphasis on youth development throughout his career, particularly the student intern program he promoted at MDA which is so beneficial. He expressed a hope that MDA will avail itself of the Director's advice and counsel on specific issues in the future.

Vice Chairperson Veliquette commented that each Commissioner has been touched in a personal way by Dr. Guyer and thanked him on his excellent work for MDA.

**Motion carried unanimously.**

**VOTE:**

**COMMISSIONERS' COMMENTS:**

**Commissioner Tatter** complimented Director Designate Wyant on visits and meetings he has held throughout the transition period. In addition he:

- Thanked Katherine Fedder for her excellent written review of the basic elements in the Red Tart Cherry Federal Marketing Order;
- Toured K. I. Sawyer sawmill site on August 16 with Natural Resources Commissioner David Holli. On-site investment costs are nearly \$30 million and when completed (in a year), it will be the most modern facility of its type in North America. Timber will come from both Michigan peninsulas, Wisconsin, and Canada;
- Toured Lime Island as part of the DNR open house August 17. This preservation project (historical and recreational) is the result of Dr. Guyer's foresight when he was DNR director;
- Met with principals of Great Lakes Concentrates on August 20 in an effort to retain and relocate a portion of its food processing business in Paw Paw which is scheduled for closure;
- Attended the August 23 Governor's Day Luncheon and Wine Tasting at the State Fair in Detroit. While there he learned Michigan grain is exported to Canada to become an ingredient in commercial pigeon feed and then returned for sale in Michigan and other parts of the U.S. He asked why the feed is not mixed in Michigan;
- Observed an excellent processing operation for vegetable crops while in Minnesota. Crop yields there are better than in Wisconsin and Michigan; Attended the Michigan Food Processors Harvest Outing on August 26 in St. Joseph--about 100 participated;
- Attended the Michigan food Processors Harvest Outing on August 26 in St. Joseph--about 100 participated;
- Met with and hosted the USDA team studying the potential for a facility to consolidate fruit and

vegetable cooling and repacking. If constructed it will be part of the Benton Harbor Fruit and Vegetable Market. Project has been under study 10 years and a decision should be made soon on this;

- Met September 4 with Ron Bodtke (blueberry and cash crop grower and president of Michigan Cranberry Council) on draft right to farm practices for cranberry production;
- Participated in the September 9 tour of potential cranberry sites, dedication ceremony of cranberry research beds at Southwest Michigan Research and Extension Center, and a dinner meeting;
- Took Commissioner Crumbaugh to a breakfast meeting with area farmers, a fresh packing operation, and the Benton Harbor Fruit and Vegetable Market this morning. At noon he hosted Director Designate Wyant at a local grower/processor luncheon.

Crops in southwest Michigan are suffering due to lack of rain. Copies of newspaper articles on condition of area crops and the cranberry meetings held September 9 were distributed and are on file in the Commission office.

**Commissioner Crumbaugh** reported excellent late summer weather is helping crops catch up due to late planting; dry bean crop looks excellent at this time. Sugar beets for deer are in demand; crop is short due to spring planting difficulties. It appears the corn crop will be fine. Monitor Sugar Beet Growers voted to join in contracting with the company. In the past there was a grower director board (advisory) to communicate with the company but it lacked contracting powers. Growers now can bargain through the grower board which he believes will be helpful (growers in western states operate this way).

He attended the final Welcomefest. Sue Bila, Michigan Festivals and Events Association, was doing an excellent job promoting agriculture.

Commissioner Crumbaugh thanked Commissioner Tatter for his hospitality during his visit to southwest Michigan.

Vice Chairperson Veliquette relinquished the chair to Chairperson Skogman at 4:00 p.m. and welcomed her to the meeting.

CHAIRPERSON'S ARRIVAL:

BENTON HARBOR MARKET NEWS (BHMN):

Charlie Hackensmith introduced his secretary Carol Miller and reviewed the pro- gram. Since 1924, BHMN has tracked fruit and vegetable sales including volume. Information received augments reports published by Michigan Agricultural Statistical Services and National Agricultural Statistical Service. Information BHMN publishes is certified by the Secretary of Agriculture and provides an unbiased source for settlement of claims on perishable fruit and vegetable commodities. Commercial growers, shippers, and buyers are canvassed daily; market information is published (sample report on file in Commission office) and disseminated by radio, telephone recorders, and the Internet (from Cornell University (New York), University of Kentucky, and University of Florida). Major commercial crops tracked are: apples, blueberries, peaches, plums, tart cherries, cabbage, carrots, celery, onions, potatoes, peppers, radishes, and squash. Also, prices paid growers on the Benton Harbor Fruit Market are reported.

At this time the Benton Harbor Fruit Market primarily serves local growers and fruit-stand operators. In the past major chain food stores purchased produce from Benton Harbor Fruit Market; now stores purchase produce from specialized consolidated shippers around the country. Dr. Guyer suggested southwest Michigan should have a huge, grower-operated produce operation for the public in conjunction with the market. It would help growers throughout Michigan sell directly to consumers.

REGION V REPORT:

**William Baney** updated the MCA on the following Region V activities: (a) move into new regional office; (b) crop conditions and inspections; (c) orchard and vineyard removal project; and (d) gypsy moth program. Attachment C is a summary of his report.

PUBLIC APPEARANCES:

**Mrs. Carol Goodell** was introduced by Commissioner Tatter. The Goodells operate a farm in the Dowagiac area (Silver Creek Township, Cass County) and have experienced significant deer damage in recent years. Mrs. Goodell reported she and her husband raise apples, cherries, and asparagus. In recent years they had experienced increased deer damage to their orchards and asparagus. They tried various repellents and scare devices, feeding the deer, and sought assistance from DNR but nothing stopped deer from browsing on their trees and crops.

Mrs. Goodell recognizes this is a controversial issue; however, the deer population needs to be reduced sufficiently so growers can remain gainfully employed. Attachment D is a copy of her statement to the Commission.

## BEGINNING FARMER LOAN PROGRAM:

Bruce Abbe, Communicating for Agriculture (a national, nonprofit farm organization) and a member of the National Council of State Agriculture Finance Programs; David Wirth, Director, Illinois Farm Development Authority and member of the National Council of State Agriculture Finance Programs; Ron Bodtke, a Michigan producer, and Robert Craig reported on beginning farmer loan programs. Information about Aggie Bonds was distributed (copies on file in the Commission office). Attachment E is a summary of comments on Aggie Bonds.

Ron Bodtke spoke in support of an Aggie Bond program in Michigan as young people are needed in the industry. With the initiation of a new agricultural industry (cranberry) in Michigan and its costly start-up costs (up to two to three million dollars), he encouraged the Commission and state to address alternative ways for financing agricultural ventures.

## PUBLIC APPEARANCES (Continued):

**Pick Michigan Agriculture/Tourism.** Commissioner Tatter introduced Phyllis Dowsett. Mrs. Dowsett thanked Dr. Guyer for being an outstanding champion for agriculture tourism. She congratulated Mr. Wyant on his appointment as director and welcomed the Commission and MDA staff to southwest Michigan. She invited them to visit the New Buffalo Welcome Center at I-94 Exit 29.

\_ Mrs. Dowsett reviewed the Pick Michigan program which originated in 1985 with a special grant through MDA. She introduced Sue and Paul Wicks and Herb Teichman who work on the project. Every Saturday for 11 years, visitors are greeted and provided a taste or sample of products grown in Michigan. Purpose is to educate travelers about the wonderful products grown in Michigan and where these may be purchased.

Mrs. Dowsett distributed copies of Southwestern Michigan Tourist Council's informational packet (copy on file in the Commission office). Media coverage about the region, farm markets, and U-pick farms has been excellent. Visitors complete questionnaires which provide information helpful to keep the program current and successful.

Sue Wicks, chairperson of Pick Michigan Program, thanked MDA for being a partner in the program which generates a good feeling among tourists and they do purchase products which, in turn, helps agriculture. Herb Teichman, who has operated a farm market for 25 years, said people are impressed with the diversity of food products grown in Michigan. Southwest Michigan agriculture serves as the gateway to that multitude of products and once people taste Michigan products, they return.

Dr. Guyer assured the Pick Michigan representatives that Mr. Wyant will be a strong supporter of ag tourism, and said the Michigan Tourist Council is beginning to recognize the need to put funding into ag tourism.

MARKET DEVELOPMENT  
DIVISION:

**U.P. State Fair.** Richard Ostrander reported the 1996 paid fair attendance was up 2 percent; grandstand attendance increased nearly one-third over last year. All junior market livestock were tested prior to the show and were negative for drug residues. Very positive comments were received about the Miracle of Life Exhibit and the children's barnyard. The only negative comment was from senior citizens because they had to pay admission.

Next year the fair begins its first step toward being self-supported. Alternatives to generate revenues and cut costs, including a parking fee, are being implemented. The stockcar racing program is over for this year; there were seven races. Track rentals and concession fees generated \$13,796 for the fair. Program went well for the first year and no complaints were received from local residents about noise or dust. A few things need to be worked out before next year; e.g., stone problem and use of grounds by other parties at the time races are scheduled.

There have been delays in obtaining a liquor license. Mr. Creagh and Cal Marcoe, Baylands Speedway, have discussed this and other deficiencies regarding Baylands' incorporation papers which caused the delay in getting a liquor license. Baylands would like this Commission to change the lease agreement with Baylands Speedway to Pub and Grub Sports Bar No. 2, Inc. to ease the liquor license issue. Mr. Creagh does not recommend MCA approve that strategy because: (1) Baylands Speedway did not fulfill terms and conditions of the lease agreement; (2) U.P. State Fair Board has not thoroughly discussed the issue or made a recommendation to MCA; and (3) Six

months have elapsed since the initial 10-year lease was signed and there may be technical changes throughout the agreement that neither MDA nor MCA have had opportunity to review. MDA must be vigilant in its oversight responsibilities and Mrs. Baugh needs to review the lease to assure that responsible parties are on record and MDA agrees with it. There will be no races or concession sales until the license and other issues are resolved.

Dr. Guyer complimented Mr. Creagh on handling the issue. He believes efforts set forth to resolve the problems are appropriate and advised the Commission to follow Mr. Creagh's recommendation. Mr. Creagh and Mrs. Baugh will work directly with Baylands Speedway owners and the fair board to resolve this issue quickly.

**Wayne Maley, Wood Personnel Services** and recently retired from the American Society of Agricultural Engineers, is working with the WRATT Foundation's Agri-Tap Program to find ways to avoid agricultural waste problems. He is looking for programs to utilize agricultural products. He would appreciate direction from the Commission to areas it sees he can address to utilize agricultural production resources (wastes) to create new businesses and jobs.

Commissioner Skogman adjourned the first meeting at 5:37 p.m., and called the second meeting of the session to order at 8:18 a.m., September 11, 1996.

**Commissioners Present:**

- Shirley A. Skogman, Chairperson
- Norman R. Veliquette, Vice Chairperson
- Douglas E. Darling, Secretary
- David Crumbaugh
- Jordan B. Tatter

**MDA Staff Present (during portions of the day):**

- Dr. Gordon Guyer, Director
- Keith Creagh, Deputy Director
- Ernest Abel, Assistant Director, Food Division
- Robert Blaze, Jackson
- Robert Craig, Director, Agriculture Policy and Special Projects
- Dr. David Skjaerlund, Executive Director, Rural Development Council of Michigan (RDCM)
- Vicki Pontz-Teachout, Director, Office of Legislative

**ADJOURN AND CALL TO ORDER:**

Liaison

- Wayne Whitman, Right to Farm Program, Pollution Control Office, Pesticide and Plant Pest Management Division (PPPM)
- Gerald Wojtala, Food Division
- Jean Valley, Executive Secretary to the Commission

**Legal Counsel:**

- Jann Ryan Baugh, Assistant Attorney General
- LuAnn Cheyne Frost, Assistant Attorney General

**Others Present (during portions of the day):**

- Mike Bailey, DNR Wildlife Division
- Robert Baldwin, Michigan Sportsmen's Congress
- Ron Bodtke, Michigan Cranberry Council
- Brad Deacon, Project Coordinator for Agriculture, Executive Office of the Governor
- Mike DeGrandchamp, Michigan Cranberry Council
- Jim Draze, Kalamazoo County Health Safety Department
- Mike Eliasohn, Herald-Palladium, St. Joseph
- Marlene Fluharty, Integrated Land Use Task Force and The Americana Foundation
- Carol A. Goodell, Dowagiac
- Dr. Eric Hanson, Department of Horticulture, MSU
- Robert Hause, Van Buren-Cass Counties Health Department
- Mrs. Gordon Guyer, Lansing
- Pat Krause, Kalamazoo County Human Services Department
- Mike Laufer, Van Buren-Cass Counties Health Department
- Representative John Llewellyn
- Wayne A. Maley, American Society of Agricultural Engineers and WRATT Foundation
- Ron Nelson, Michigan Farm Bureau (MFB)
- Scott Newton, Michigan Farm Bureau, South Haven
- Barbara Radewald, Women for Survival of Agriculture in Michigan (W-SAM), St. Joseph
- Kyle Randall, Michigan Sportsmen's Congress (MSC)

- Dr. William Shane, MSU-Extension
- Pete Squibb, DNR Wildlife Division
- Mike Staton, MSU-Extension
- Joan Thome, W-SAM, Grand Rapids

## DIRECTOR'S REPORT:

Announcements and Introductions: Dr. Guyer announced Brenda and Douglas Smith's daughter, Riley Anne, was born September 10, 1996.

The Director introduced LuAnn Frost, Assistant Attorney General, recently assigned to agriculture issues, and Brad Deacon, Governor's project coordinator for agriculture.

Attachment F is a copy of the written Director's report and includes a summary of Dr. Guyer's comments to MCA on the following:

- Emu and ostrich slaughter/processing plant in Howell;
- Mr. and Mrs. Krpicak commendation of Karen Butler and Sharon Smith (Region VII);
- Director's activities;

Dr. Guyer and Mr. Wyant will meet with the Governor prior to Dr. Guyer's retirement.

Dr. Guyer circulated several pieces of correspondence for Commission review (copies on file in the Commission office). The Director expressed his appreciation for the opportunity to report to the Commission each month.

**Commission Budget.** Attachment G is a copy of the Michigan Agriculture Commission Appropriation Status Report as of August 31, 1996.

**MDA Budget.** Dr. Guyer reported MDA is staying within its budget and commended Mr. Creagh for finding creative ways to provide training and some travel during this time of financial constraint.

**Cranberry Industry.** Dr. Guyer commended Bob Craig for his efforts to establish this industry in Michigan.

**Director's Report (Written).** Referring to the written Director's Report, Commissioner Tatter asked for: (1) a five-year history showing the trend of migrant housing (number of labor camps inspected and licensed, number of individual living units, and people capacity); and (2) what counties comprise the Duncan Drain. He complimented the weights and measures process wherein we are becoming educators as well as regulators.

Dr. Guyer complimented MDA for its commitment and accomplishments regarding the ozone containment issue in southeast Michigan.

Recognizing the Agriculture Marketing and Bargaining Board Act is not MDA's responsibility, Commissioner Tatter noted, however, a need for clarified definitions and terminology in this law to end confusion.

LEGISLATIVE REPORT:

Attachment H is the September 1996 Department of Agriculture Bill Status Report. Vicki Pontz-Teachout provided additional information on bills and legislative issues affecting agriculture. A summary of her comments is included in Attachment H.

CRANBERRY PRACTICES:

**Right to Farm Generally Accepted Agricultural and Management Practices for Cranberry Production (Practices)**.

Robert Craig introduced Dr. Eric Hanson, cochair of the MSU Task Force that developed the draft practices. Copies of the Practices had been distributed to MCA.

Mr. Craig reported MDA issued a press release inviting written comments and announcing the opportunity to comment at this meeting; press release and draft practices are on the MDA Web Site, also. No written comments were received.

**Public Comments**. Chairperson Skogman opened the meeting for public comments on the Practices.

Ron Bodtke, President, Michigan Cranberry Council, expressed appreciation to Dr. Guyer, Mr. Craig, Dr. Charles Cabbage, Dr. Ron Goldy, Dr. Hanson, and Michigan Department of Environmental Quality (DEQ) staff for their assistance in developing the Practices. He said meetings were educational and while there were diverse opinions, a consensus was reached. He believes document is good and is pleased the regulatory guidelines are an addendum. As a grower, he believes the Practices will benefit this new agricultural industry in Michigan.

Mike DeGrandchamp, Michigan Cranberry Council and grower, is in process of applying for a DEQ permit for a type B site (defined in the Practices). Meeting requirements for the DEQ permit application has been costly. This document provides all the information needed to produce cranberries.

He reported the Canadian government is helping establish cranberry production by providing a three-year tax exemption or an interest-free loan to growers to offset startup costs (up to \$40,000/acre). He suggested Michigan consider providing assistance for cranberry growers as bank financing is difficult.

Concerns about fair competition (Canadian subsidies) were discussed. If we are to promote the cranberry industry in Michigan, a strategy must be developed to address such obstacles legislatively or through negotiations with DEQ and local governments. Commissioner Tatter asked if a site had been in other agricultural production, reverted to its natural state, then was recleared, tilled, and planted (reestablishing it as cropland) for a year or so prior to establishing a cranberry bed, would site be type A rather than type B? Response was this would be a Type A site. Commissioner Tatter questioned the practicality of regulatory response as administered by DEQ.

Commissioner Crumbaugh urged MDA work with DEQ to provide flexibility in land descriptions as well as the inappropriateness of such large up-front charges related to the permit application process before a crop is produced. Dr. Guyer suggested it may be appropriate for Mrs. Teachout-Pontz to work on this through the legislative process.

**MOTION:**

Commissioner Tatter moved that the Right to Farm Generally Accepted Agricultural and Management Practices for Cranberry Production (Attachment I) be adopted; and further, assured the Michigan Cranberry Council this Commission will review these practices annually. (Seconded) **Motion carried unanimously.**

Dr. Guyer asked Messrs. Wyant and Craig to provide him with specifics of the Canadian subsidy and information regarding regulatory issues raised.

**RIGHT TO FARM COMPLAINT:**

**Complaint Received About Cattle in Stream at David Balfour Farm, Lapeer County.** Wayne Whitman reviewed the complaint submitted in May 1996 by a DEQ Surface Water Quality Division aquatic biologist. MDA staff conducted an inspection and verified uncontrolled livestock access and bank erosion attributable to the practice. A letter was sent notifying Mr. Balfour about the complaint and requesting a plan to resolve. Time for response elapsed; followup phone calls were made offering assistance and explaining MDA's procedure. Plan has not been received.

Mr. Whitman requested the Commission send a letter to Mr. Balfour urging action to resolve the complaint and requesting a response by September 25.

**MOTION:**

Commissioner Tatter moved that the Michigan Commission of Agriculture send a letter to David Balfour urging implementation of the Generally Accepted Agricultural and Management Practices for Manure Management and Utilization to address uncontrolled livestock access to Elk Lake Creek Drain; and further, that Mr. Balfour notify the Michigan Department of Agriculture by September 25, 1996, of his intention to follow this recommendation. (Seconded) **Motion carried unanimously.**

Attachment J is a copy of the Commission's letter to Mr. Balfour.

**FOOD DIVISION:**

**Amendments to Regulation 553, Food Establishments.**

Gerald Wojtala, representing Dr. E. C. Heffron, requested MCA approval to begin process to revise and update Regulation 553 which prescribes requirements for safe food handling practices, sanitation, construction, and operation of food establishments.

This proposal substantially adopts the Food Code, 1995 Recommendations of the U.S. Public Health Service/Food and Drug Administration. The model Food Code was developed through cooperative work with scientific and technical authorities from academia, government, and the food industry.

The proposed rule incorporates provisions governing nonalcoholic beverages, fair concessions, and temporary food establishments and rescinds Regulations 549, 556, and 558. The Food Division will conduct meetings to receive comments. Mr. Wojtala requested MCA approve the process to revise and update Regulation 553; Dr. Guyer supports the request.

**MOTION:**

Commissioner Crumbaugh moved that the rulemaking process be initiated to revise and update Regulation 553, Food Establishment Code. (Seconded) **Motion carried unanimously.**

**Approval of Regulation 569, Smoked Fish.** Mr. Wojtala reported a public hearing on the regulation was held in July; there was general support for the rules from those attending and written comments received. Attachment K is a copy of the proposed regulation.

FDA did not issue federal regulations for smoked fish; it did issue general guidelines on how to use HACCP in fish smoking establishments.

**MOTION:**

Commissioner Tatter moved that Regulation 569, Smoked Fish (Attachment K), be adopted. (Seconded) **Motion carried unanimously.**

**1996-97 Weights and Measures Fee Schedule.** Mr. Wojtala presented the proposed 1996-97 Weights and Measures Fee Schedule (Attachment L) and requested MCA approve (background information included in Attachment L). Mr. Wojtala called attention to decreases in fees which are the result of documented efficiencies; however, some laboratory fees were increased to cover purchases of high-precision equipment.

Commissioner Tatter asked if law requires fees cover costs incurred for services. It was explained there is no charge for initial inspections but law requires charges for followup testing on out-of-compliance devices or for specially requested tests. Law will be checked and Commissioners notified regarding this matter.

**MOTION:**

Commissioner Crumbaugh moved that the 1996-97 Weights and Measures Fee Schedule (Attachment L) be adopted as presented and become effective October 1, 1996. (Seconded) **Motion carried unanimously.**

**RECESS AND RECONVENE:**

Chairperson Skogman recessed the meeting at 9:52 a.m. and reconvened it at 10:06 a.m.

**FOOD DIVISION ORGANIZATION:**

Mr. Creagh announced that after consultation with Dr. Heffron and with Dr. Guyer's approval, Ernie Abel (MDA Region III manager) will assist Dr. Heffron with day-to-day Food Division administrative activities. Mr. Abel commended division staff for its excellent work to fulfill an important mission for MDA and the people of Michigan.

**PUBLIC COMMENT:**

Barbara Radewald and Joan Thome, W-SAM, presented a written statement and invitation to the Commission to the November 13-17, 1997, American Agriculture Women National Convention in Kalamazoo (Attachment M).

**DEER DAMAGE DISCUSSION:**

**Representative John T. Llewellyn; Pete Squibb, DNR; Michael Staton and Dr. William Shane, MSU-Extension; and Ron Nelson, MFB,** had been invited to discuss deer damage concerns of the agricultural industry. Kyle Randall, MSC; and Mike Bailey, DNR, also spoke on the issue.

Representative Llewellyn distributed and reviewed the "Proposal for Reduction of Agricultural Damage by Wildlife" (Attachment N). A summary of the discussion of the proposal is included in Attachment N. Chairperson Skogman thanked those who participated in the discussion.

**MOTION:**

Commissioner Tatter moved that:

WHEREAS, The white-tailed deer population in Michigan is estimated to be more than two million; and

WHEREAS, There are heavy concentrations of these deer located in this state's prime agricultural areas; and

WHEREAS, There has been an increase in documented cases of white-tail deer causing significant crop damage resulting in severe economic losses to farmers.

THEREFORE, BE IT RESOLVED, That the Michigan Commission of Agriculture urges the Michigan Department of Natural Resources to explore additional and creative deer management options; and

FURTHER, BE IT RESOLVED, That this Commission pledges to work in partnership with the Natural Resources Commission to implement these management options.

(Seconded) **Motion carried unanimously.**

**LAND USE REPORT:**

**Marlene Fluharty, The Americana Foundation and the Integrated Land Use Task Force**, had distributed copies of the task force report, "Toward Integrated Land Use Planning" (copy on file in the Commission office). Dr. Guyer complimented Mrs. Fluharty for her leadership of the task force and its excellent report.

Mrs. Fluharty reviewed the task force membership and operations. Task force sought input and suggestions for recommendations and solutions to problems related to lack of integrated land-use planning in Michigan. Various organizations/individuals provided assistance for visioning and planning through presentations and reports; e.g., the Governor's Task Force on Michigan Farmland and Agricultural Development.

Mrs. Fluharty briefly reviewed each component of the report. Leadership and political will are needed from the Legislature, state agencies, and Governor's Office if present trend (urban sprawl) is to be reversed and prime agricultural lands remain in food and fiber production. Recommendations are politically possible within a reasonable time frame. The Natural Resources Commission (NRC) established a 60-day period for comment; Mrs. Fluharty requested MCA and MDA staff to present comments to Keith Charters, NRC. Further she encourages MCA to work with the Governor and encourage his being an even stronger voice on the issue. She asks that MCA work to ensure integration within MDA and to take a strong lead in interagency cooperation. Commissioner Darling commended Mrs. Fluharty for this report which addresses very serious problems.

**MOTION:**

Chairperson Skogman moved that:

WHEREAS, Michigan agriculture contributes \$37.5 billion to the state economy; and

WHEREAS, Agriculture is dependent upon available, productive lands; and

WHEREAS, The urban encroachment into farmland diminishes this valuable resource base.

THEREFORE, BE IT RESOLVED, That the Michigan Commission of Agriculture commends Marlene Fluharty and the Integrated Land Use Task Force for their study of this critical issue and the development of a comprehensive, timely report entitled, "Toward Integrated Land Use"; and

FURTHER, BE IT RESOLVED, That the Michigan Commission of Agriculture supports this effort and will assist the Natural Resources Commission and other state agencies as they develop action plans to resolve this complex issue.

(Seconded) **Motion carried unanimously.**

RURAL:  
DEVELOPMENT COUNCIL  
OF MICHIGAN:

**Land Use Legislation.** Dr. David Skjaerlund reported on the Subdivision Control Act and Purchase of Development Rights/Transfer of Development Rights Bill. He distributed and reviewed a summary report of RDCM's current activities. Attachment O includes information distributed and a summary of Dr. Skjaerlund's remarks.

PUBLIC APPEARANCES:

**Robert Hause, Van Buren-Cass Counties Health Department**, relayed comments from constituents in his area, mainly owners of small, rural restaurants, regarding ventilation system criteria. Owners do not understand the criteria. Ventilation systems are expensive and installation costs could put a small restaurant out of business. Mr. Hause praised the Hazard Analysis Critical Control Point (HACCP) concept for food safety. Mr. Creagh said a pilot program is in place in Monroe County to count critical violations as opposed to numerical scores to determine if owner is operating a clean and healthy establishment. Regarding dual licensure questions, there are approximately 35,000 licensed restaurants and food-handling establishments in Michigan and as part of its technology improvements, MDA is developing a single licensing system it anticipates will be in operation in a year. He appreciated support expressed for the HACCP program. Ventilation criteria seem to be causing concerns in other areas, also. MDA's food service section will determine the real issues in this matter; however, food safety and risk factors must always be considered.

**Pat Krause, Kalamazoo County Human Services Department**, reported his department provides public health, substance abuse, transportation, and community service functions as well as being the area agency on aging. The county population is approximately 200,000; there are about 800 licensed, fixed food service establishments. Growth of restaurants in the county is about 5 percent a year. In 1995, department staff provided 6,000 service encounters to restaurants and restaurant-related activities and 3,000 inspections of these establishments. This represents about 25-35 percent of his total environmental health staff's activities.

To provide the best customer service, he formed work teams. Copies of the Strategic Plan for the Food Service Program were distributed (copy on file in the Commission office). Objectives of the plan are based on department's goal, mission, vision, and values.

Mr. Krause said he is encouraged by MDA's HACCP program and pleased his department will participate in a pilot HACCP program.

Meetings are held to educate food service workers regarding proper procedures for handling food in restaurants. Copies of a study guide for food service workers entitled, "Food Safety Sanitation" were distributed (copy on file in the Commission office).

Kalamazoo County looks forward to a positive working relationship with MDA. It believes it is important to provide good service to the public, operators of restaurants, and all businesses in the county. He announced Kalamazoo County was awarded a \$30,000 grant to participate in the Clean Sweep Program. For eight years they have been operating a household hazardous waste program. A \$225,000 facility is being constructed to handle household hazardous waste and farm chemicals.

PUBLIC COMMENTS:

Brad Deacon is the Governor's project coordinator for agriculture. This responsibility is in addition to his constituent services assignment. Mr. Deacon said he was raised on a dairy farm in the U.P. and looks forward to working with the Commission and MDA staff.

COMMISSIONER COMMENTS:

**Commissioner Darling** referred to an article in the September 10 edition of the Detroit Free Press concerning the drought and its effect on crops; crops are fair in Monroe County. August this year was the driest on record for southeast Michigan.

Area agricultural concerns are about the gas tax and infrastructure. They were able to achieve a reasonable access resolution with the county road commission which granted agricultural producers ability to haul Class A loads on county roads (needed to handle perishable products). He enjoyed both state fairs and suggested Carol Carlson be invited to report on 4-H grant projects at the U.P. State Fair; this could be a model for other communities. He commended MFB, MSU, and Blue Cross/Blue Shield for the excellent Miracle of Life Exhibit; this is a tremendous tool for MDA to share what it does and why it is done. Commissioner Darling attended the Agriculture Advisory Committee meeting with Senator Abraham and infrastructure issues were discussed. There is concern about having the ability to move products and how to raise funds to improve the infrastructure (federal moneys, gas tax in Michigan).

Commissioner Darling said he appreciated Mr. Wyant's visit to Monroe County. He received compliments about services provided by Katherine Fedder and Wayne Whitman and their cooperation on programs. In addition he received many positive comments about the migrant labor housing program which was transferred to MDA.

**Commissioner Veliquette** thanked Commissioner Tatter for setting up contacts in southwest Michigan for the Commissioners and expressed appreciation for his hospitality.

He said the president of the local garden club expressed appreciation for help MDA provided in finding speakers for programs. The public is learning that agriculture speakers knew a lot about the environment before others began to give attention to this issue. It is important that MDA continue its participation in this type activity.

Land use is a prominent subject in northwest Michigan; MDA's role in this and right to farm issues continues to be important.

He heard complaints about Michigan Department of Transportation's (M-DOT) tightening restrictions on farm fleets more than economics of farming could justify. Some farm trucks were taken off the road and disproportionate fines were levied for some rather insignificant items. Farmers are trying to comply, but it is frustrating to lose the use of a vehicle during harvest season or be faced with a large fine.

The late season postponed final hatches of gypsy moth. Christmas tree inspectors are waiting a little longer before doing their certifications. Apple crop in northwest Michigan is small; dry weather late in the season compromised the crop. Prices will be up, but it will not be as good a year as last year. Overall cherry crop was moderate; generally red tart cherries were very good quality and processing yields were up. With the large carryover from last year, there is a good supply and the market is fragile; marketers trying to keep it from collapsing.

USDA announced the purchase of frozen and canned cherries; however, volume is not sufficient to stabilize the market. Cherry producers and processors overwhelmingly approved the federal market order. There has been no action by USDA to select the board. Producers will now direct their efforts to selecting the board.

Mr. Creagh assured the Commission that PPPM will have adequate resources to certify Christmas trees. MDA is meeting with M-DOT on various issues and will bring up the concerns about inspections. He asked Commissioner Veliquette to provide specifics on incidents about which he has knowledge.

Commissioner Veliquette said an impression exists that standards for commercial trucks are different than those for agricultural trucks and this causes frustration.

Commissioner Skogman said this is a concern in the U.P., also. Commissioner Crumbaugh supports a common-sense approach, but if truck is found to be unsafe, penalty should be severe so risky vehicles are not on highways.

**Commissioner Skogman** reported Joanne Stefl informed her MFB was working on a concern that Marquette County Transit wants to reduce weight loads from 80,000 to 70,000 pounds in that county which will create a severe problem for farmers.

There has been a severe drought in her area (no rain in August) and potatoes and other crops are affected. The deer problem has worsened, too.

She served as a judge at the MFB Young Farmer Discussion Group in Escanaba; this was an enlightening and interesting experience. She hopes they do well in the state discussions.

Commissioner Skogman attended the Dickinson County Fair; weather was ideal but attendance was low and there were fewer exhibits this year.

ADJOURNMENT:

Potato harvest will begin within a week.

No one wished to speak to the Commission; therefore, Chairperson Skogman adjourned the meeting at 12:33 p.m.

The Commissioners were invited to a luncheon and to spend the afternoon at the Allegan County Fair.

—

I, Douglas E. Darling, Secretary of the Michigan Commission of Agriculture, do hereby certify that I have read the minutes of the September 10-11, 1996, session of the Commission of Agriculture and they are a true and accurate description of the proceedings thereof.

---

Douglas E. Darling, Secretary

I, Keith E. Creagh, Deputy Director of the Michigan Department of Agriculture, do hereby certify that I have read the minutes of the September 10-11, 1996, session of the Commission of Agriculture and they are a true and accurate description of the proceedings thereof.

---

Keith E. Creagh, Deputy Director

Approved on October 10, 1996.

*For information about the Commission of Agriculture, please e-mail the MDA Webmaster from MDA's home page*

Attachment C

**SUMMARY OF REPORT BY WILLIAM BANEY ON MDA REGION V TO MCA**, September 10, 1996, St. Joseph, Michigan.

William Baney anticipates staff will move into its new offices in late November. There will be more space for employee work areas, training, and for the public to take exams as well as additional space for storage and parking.

Dry weather has negatively affected crops particularly in Berrien and Van Buren counties. Some growers may not pick their beans, eggplant production is at 30 percent normal, and cornfields look bad; farmers are having a difficult time this year.

Usually MDA inspectors inspect about 9,000 acres of seed corn for Pioneer and Cargill; this year they inspected 28,000 acres. There is a higher incidence of virus in corn. Corn was free of High Plains' Virus (a new virus) but a lot of Stewart's Wilt was found (14 fields); corn from these fields cannot be exported. It is anticipated there will be 28,000 to 30,000 acres of corn to be inspected next year.

The orchard and vineyard removal project was completed (100 acres of apple trees and 18 acres of vineyards were removed). Project went well; no complaints were received from property owners.

Gypsy moth traps are being picked up; it appears St. Joseph County had a higher incidence than last year. Cass County had a number of "hot" spots. Not all traps have been picked up in Berrien County; however, infestations are expected to be greater there, also. Niles area had a heavy gypsy moth incidence last year, but there were fewer moths in traps this year. It is believed the fungus is beginning to suppress gypsy moths in that area.

Region V employees are looking forward to the Employee Meeting (October 7-8) and the Director's Ag Tour (October 23); staff is pleased to have an opportunity to host Mr. Wyant in the region.

Mr. Baney said Gene Thompson is doing quite well and continues to be very positive. He is receiving speech therapy and making progress. Mr. Thompson is missed by everyone.

####

Attachment E

**SUMMARY OF COMMENTS ON BEGINNING FARM LOAN PROGRAM BY BRUCE ABBE, COMMUNICATING FOR AGRICULTURE, DAVID WIRTH, DIRECTOR, ILLINOIS FARM DEVELOPMENT AUTHORITY, AND ROBERT CRAIG, MDA, TO THE MCA**, September 10, 1996, at St. Joseph, Michigan.

Bruce Abbe and David Wirth are also members of the National Council of State Agriculture Finance Programs. Information about Aggie Bonds was distributed; copies are on file in the Commission office. Mr. Abbe said Communicating for Agriculture has the role of advocate and technical advisor to state agriculture finance programs.

This year federal legislation was enacted amending the beginning farmer bond programs and includes changes in IRS rules that previously prevented interfamily farm transfers and a permanent tax exemption. Aggie Bonds are designed to provide qualified, beginning farmers with lower-interest financing. The mechanism is a federal tax-exempt bond (small issue, private activity bond) similar to that used for housing and some industrial development. A state program must be created to serve as program coordinator. Twelve states presently have programs. A young farmer applies for financing through a bank (bank purchases tax-exempt bonds through the state beginning farmer agency) and can receive a more favorable loan than otherwise could be obtained. Risk is with the private lender and once established, state cost is very low.

In 1992 a down-payment loan program was created in USDA. If a beginning farmer can obtain 10 percent of the financing to purchase the farm, this program provides another 30 percent (direct loan from USDA-Farm Service Agency) at a low (4 percent) interest rate. The remaining 60 percent can be provided by other means; e.g., a state beginning farmer loan.

Messrs. Wirth and Abbe met with Mr. Craig, Katherine Fedder, and Linda Entemann regarding a program for Michigan. Michigan had a beginning farmer loan program until about 1992; at present the only activity is servicing outstanding loans. Michigan is fortunate to have existing legislation and support from MDA staff and this Commission for the program.

Mr. Abbe described how Aggie Bonds work, including application and requirements for a loan, establishment of a bond, and provision of loan by a lending agency. Banks receive federally tax-exempt interest income (bond is the income producing asset) and an underlying loan to support that bond. There are no risks to the state; in the event of default, the bank bears the risk. To reduce risks, banks may use the USDA Farm Service Agency program and have a first lien position on a percentage of the financing. The federal program and state-issued bonds are designed to work together but can be separated.

Illinois began issuing bonds in 1982. It's annual volume is approximately \$12 million (about 120 individuals); administrative and legal costs are paid from income generated by this and other programs (nominal fees paid by lenders and applicants). In addition to farm loans, they have other programs which are described in the handouts on file in the Commission office.

#####

Attachment F

**SUMMARY OF REMARKS BY DR. GORDON GUYER,**  
**DIRECTOR, MDA, TO MCA,** September 11, 1996, St.  
Joseph, Michigan.

Dr. Guyer reported on the following:

**Emu and Ostrich Slaughterhouse.** Baine Butchering, Howell, is expanding its operations to slaughter and process poultry including emu and ostrich. This is the first processor to handle ostrich and emu in the Midwest.

**Correspondence.** Dr. Guyer read excerpts from a letter received from Mr. and Mrs. Krpicak commending Karen Butler and Sharon Smith (Region VII) for the professional and competent manner in which they handled a problem.

**Activities.** The Director commented on a number of activities in which he participated, including:

- Saginaw Research Farm Anniversary (Beet and Bean Day)--about 600 attended;
- Meeting he and Mr. Wyant had with Newaygo County farmers. He is concerned about the future of Gerbers in Michigan. Previously Gerbers bought most of its commodities from Michigan growers but now we do not have that market;
- State Fair (Detroit) went very well. Dr. Guyer was pleased some of the Commissioners could attend. He believes fair will be self-supporting this year;
- Participation by commodity groups in the final August 23-25 Welcomefest activities at Clare was very nice. Robert Wilke, M-DOT Director, and Thomas Altemus, Michigan Tourist Council Director, were impressed with the event;
- Panel discussion at Michigan Association of Local Public Health Annual Conference; and
- Saginaw Fair--this was a nice event and there was good participation by grower organizations.

Commission meetings were aired on MG-TV. Dr. Guyer participated on the first MG-TV call-in show. Questions received were very good; response by the public was positive; Dr. Guyer and Mr. Wyant will meet with the Governor prior to Dr. Guyer's retirement.

Dr. Guyer circulated the following correspondence for Commission review (copies on file in the Commission office):

- Report from Gerald Wojtala on processing of surplus salmon;
- Director's response to William Sherman and memo to Baert Brand;
- Letter from Leland Public Schools Envirothon Team;
- Flyer on ballot Proposals D and G; and
- Staff report on special assignments at U.P. State Fair.

The Director expressed his appreciation for having the opportunity to report to the Commission each month.

#####

Attachment H

**SUMMARY OF COMMENTS ON AGRICULTURE-RELATED LEGISLATION BY VICKI**

**PONTZ-TEACHOUT TO MCA**, September 11, 1996, St. Joseph, Michigan.

Ms. Pontz-Teachout reported there will be considerable legislative activity this fall. MDA is following a number of bills related to land use and farmland preservation. She reported on the following:

**H.B. 4171, 4272, and 4176**, Purchase Development Rights and Transfer Development Rights, amend the zoning enabling acts to allow counties, townships, and municipalities to engage in that activity. Bills were referred to the Committee on Local Government.

**H.B. 5975 and S.B. 1065**, Agricultural Security/Farmland & Open Space, was referred to the Committee on Local Government; Senate version was referred to the Committee on Agriculture and Forestry. MDA is lead agency; substitutes are being written on both.

**H.B. 4770**, directional signs on state highways for farm markets and U-Pick activities, was signed by the Governor; legislation will help agriculture tourism.

**S.B. 573, 574, and 575**, Purchase of Development Rights/Transfer of Development Rights to Counties, Townships, and Cities, respectively, passed the Senate late in the summer and a House committee hearing is scheduled for later this month.

**Freedom of Information Waiver for Groundwater Legislation**. It is anticipated the Legislature will take action on this bill. Bill ensures confidentiality of results of tests conducted by farmers who voluntarily participate in farmstead assessment system (Farm\*A\*Syst).

**Land Application of Biosolids**. New legislation was introduced regarding biosolids from municipal sewage treatment plants. Bill adopts EPA standards and includes MDA concerns for application at agronomic rates, soil testing, and biosolids testing. MDA will have a role in the issue, particularly in helping solve public and neighbor concerns about land application. Due to MDA's good reputation for solving conflicts (through Right to Farm), the Legislature wants MDA to be involved in this issue. Process is permitted by DEQ. In addition the legislation will attempt to preempt local units of government from preventing land application of biosolids.

Commissioner Tatter asked if MDA should issue a press release on positive aspects of the process and that it is a good environmental practice. Mrs. Pontz-Teachout anticipates a joint effort for continuing education by DEQ, MDA, municipalities, and others involved.

**Drain Code.** The Statute Review Committee is in the process of finalizing recommendations. Committee did an excellent job building consensus among its membership and developing comprehensive recommendations. The Legislative Service Bureau anticipates having draft legislation completed by September 13. MDA will facilitate the consensus-building process among all groups interested in these comprehensive changes to a statute that impacts more than 50 percent of agricultural lands in Michigan.

Commissioner Darling attended a hearing in Livonia on the proposed recommendations. Regarding credit for landowners' efforts to maintain drains (filter strips, etc.) which may be applied toward owner's bill for the next drain cleaning, he suggested that for large operations where land is in more than one watershed, credits be transferable to the owner's other properties. Regarding authorization of the drain commissioner to require installation of filter strips and where there is no compensation for these costs, if water quality is improved for the entire watershed, in his opinion everyone should be a party to the cost and credits applied to this cost, also. This would be helpful to assessors and municipalities, as well.

**Grain Dealer's Act.** MDA will convene a work group of interested persons to review this act in regard to hedge-to-arrive contracts.

**Local Zoning Issues Related to Migrant Housing.** A working group will be convened to address this issue.

Attachment M

**STATEMENT AND INVITATION FROM BARBARA RADEWALD AND JOAN THOME, CHAIRMEN FOR THE AMERICAN AGRICULTURE WOMEN NATIONAL CONVENTION, TO MCA,** September 11, 1996, St. Joseph, Michigan.

Thank you for holding your hearing in our southwestern corner of Michigan and [we] would like to ask you to, at some future time, hold an evening dinner here. The reason for this is many young or new ag people don't realize you are ag people just like they are and not a governmental person who doesn't understand their concerns.

Director Guyer--thank you for your years of service to the agricultural community. We are pleased with the Commission's choice of Dan Wyant as the new director.

Also, we the Women for the Survival of Ag in Michigan, W-SAM, as we are referred to, will be hosting the American Agriculture Women (AAW) national convention in Kalamazoo November 13-17, 1997. This is a group of 32 member organizations from the entire U.S. and Alaska. Usually about 300 people attend. We will be wanting to showcase Michigan and you will be hearing more about this convention as plans are made.

Thank you.

/s/ Barbara Radewald (Niles)

/s/ Joan Thome (Grand Rapids)

Attachment N

**SUMMARY OF DISCUSSION ON DEER DAMAGE WITH REPRESENTATIVE JOHN T. LLEWELLYN; PETE SQUIBB, DNR; MICHAEL STATON AND WILLIAM SHANE, MSU-EXTENSION; AND RON NELSON, MFB,** September 11, 1996, St. Joseph, Michigan.

Dr. Guyer introduced Representative Llewellyn who distributed copies of a "Proposal for Reduction of Agricultural Damage by Wildlife" (included in this attachment) and discussed this proposal which is intended to bring farmers and the hunting community together to solve targeted deer problems on farms. He proposes MDA be a partner with DNR in determining problem areas. Representative Llewellyn responded to questions regarding the proposal. Commissioner Tatter commended Representative Llewellyn on a common-sense approach that has potential to resolve a serious problem.

The Director also complimented Representative Llewellyn on this creative and aggressive approach. He asked if the proposal addresses antlerless deer only as that becomes an important issue and there will be no support for shooting bucks. He was informed that is the recommendation in this proposal.

**Ron Nelson, MFB**, spoke in support of the proposal. He distributed a statement regarding the issue (included in this attachment). Summarizing his statement, he pointed out crop damage is estimated at more than \$25 million and called attention to documentation (attached to the statement) regarding increasing deer populations and harvest, increases in vehicle/deer crashes (up 95 percent), and NRC policies related to this issue.

There has been more, severe crop damage during the last year than in the past. Farmers may tolerate some crop damage in the field but it is inappropriate for a farmer to tolerate damage of harvested crops (deer invading farmyard) and this must be dealt with, also.

He said Representative Llewellyn's approach is thoughtful and MFB would like to pursue discussions on many areas of it. He believes DNR has substantial discretion in managing the problem and needs to exercise that discretion now.

Dr. Guyer asked Mr. Nelson to comment about damage sustained by the forestry industry. Mr. Nelson said the timber industry sustains serious deer damage and it is difficult to place a value on small trees which is minimal compared to value of mature trees.

Mr. Nelson commended DNR, MDA, MSU and others who took immediate and aggressive action related to disease in deer. Concerning the spread of disease in crops, there are diseases in dry beans that are highly mobile and other crops may be similarly impacted. Deer passing through an infected field may carry diseases to uninfected fields. He asked how that cost is assessed. Thus, the \$25 million loss is probably low if you factor in those ramifications.

**Kyle Randall, MSC**, worked with Representative Llewellyn in drafting the proposal. An earlier draft was presented to George Burgoyne (DNR). If proposal is put into operation, MSC will provide hunters to help farmers fill crop damage permits. He provided explanations about the extended seasons and emergency permits proposed. Intent is to make this a comprehensive program to target everyone's needs, involve the most people, reduce the most suspicion, and provide public understanding.

**Bill Shane, MSU-Extension**, expressed need to be proactive regarding deer problems. Presently there is considerable lag between time grower first experiences problems and when problem is communicated and verified. It is important to have a mechanism to address increased deer populations and an immediate response before damage becomes severe.

**Mike Staton, MSU-Extension**, surveyed growers (primarily row crops) in his area. In Berrien County losses are low and acceptable compared to surrounding counties. Woodchucks \_damage more soybeans and raccoons damage more corn than deer. While not used significantly, it is felt the block permits are a reasonable tool to address problems in Berrien County.

Allegan County is sustaining increased damage particularly to Christmas trees; Cass County has increased corn and soybean damage; and Calhoun County is sustaining extreme damage to corn, soybeans, and alfalfa. Calhoun County growers believe the block permits help maintain present level but that level is too high. DNR data he received verified information from the counties.

Growers in St. Joseph County recommend the hunting season be extended (November 15 through January 1).

The Commission suggested information be released to the media prior to hunting season identifying areas where deer populations are damaging crops so hunters could choose to hunt there.

**Pete Squibb, DNR Wildlife Division Management Section.** His office conducts surveys, analyzes data, and develops regulations and recommendations for all hunting seasons including deer. Annually, approximately one million people hunt deer (three-fourths of those with firearms).

Mr. Squibb said he appreciates the proposal; DNR has been working in this direction for some time. Population of deer in the state's southern farming areas increased tenfold (to more than 500,000) in 25 years. Mr. Squibb distributed copies of a survey report to the Commissioners. Survey was taken last winter and findings indicate 60 percent of landowners want the same number or more deer, and nearly 50 percent of those with crop damage want the same or more deer.

Getting the agricultural and hunting communities working together is key to resolving the problem. The deer may belong to the state; however, problems occur on private land and no one can harvest deer unless property owners allow access. The survey also indicated less than 20 percent of the landowners will allow persons they do not know to hunt on their property. Landowners need to know where there are reputable people they can trust to hunt on their property.

DNR has a number of tools including block permits, summer shooting permits, landowner permits for specific areas (for landowners and invited guests), and landowner licenses only. Even with these tools, landowners continue to allow people to shoot twice as many antlered as antlerless deer, including farms sustaining crop damage. It is difficult to change people's attitudes toward shooting antlerless deer. Reducing the number of antlerless deer is the only way to reduce crop damage; help is needed to educate landowners in that regard. A DNR-MDA team should inspect crop damage (presently the responsibility of the local biologist). This also may help educate the public about the need to maintain deer at a certain level.

DNR is moving on this problem; it has tools, it would like to get the tools used more effectively, and it is willing expand the tools. There will be more than 400,000 antlerless permits available for the 1996 deer season and it is anticipated more than 225,000 antlerless deer will be harvested if permits are used. Permits are targeted for areas with damage; excess antlerless permits will be sold after the drawing (beginning on November 2). In the high-damage areas landowners will get permits and extras may be purchased if hunter provides landowner's tax number.

DNR faces control problems in the north where small blocks of farmland are interspersed among state lands or large recreational holdings. DNR tries to work with landowners to resolve these problems.

In Mr. Squibb's opinion the herd south of the Mackinac Bridge will be reduced significantly this year. Half the deer herd is north of the bridge where there is limited access and limited hunters, and hunting cannot control that herd. DNR does try to handle these problems.

**Mike Bailey, DNR**, requested assistance from MFB and MDA in cooperation with MSU-Extension to educate landowners about reducing antlerless deer population before crop damage becomes severe. Once there is severe damage, it takes five to six years to reduce a herd.

Commissioner Tatter asked if Mr. Squibb's comment about landowners desiring the same number or more deer referred to landowners or cropland owners. Mr. Squibb said survey was taken from: (a) landowners, (b) farmers, (c) nonfarmers, (d) farmers with damage, and (e) farmers without damage. Percentage of farmers with damage who want the same number or more deer was less than the other groups, but 35 to 40 percent of those with crop damage want the same number or more deer. He reiterated the need to control deer populations before they become a problem.

Mr. Randall said Representative Llewellyn's proposal hinges on the defeat of Proposal D because there can be no overlapping hunting seasons with Proposal D.

#####

Attachment O

### **SUMMARY OF COMMENTS BY DR. DAVID SKJAERLUND, RDCM EXECUTIVE**

**DIRECTOR, TO MCA**, September 11, 1996, St. Joseph, Michigan.

**Land Use Legislation**. Dr. David Skjaerlund reported on two sets of bills addressing the Subdivision Control Act and Purchase of Development Rights/Transfer of Development Rights. The Subdivision Control Act addresses the 10-acre minimum requirement currently in the statute. It does not address the process of subdivision review or the platting process. Realtors have questions about setting a number of exemptions for a parent parcel at one point in time and providing a mechanism to drive smaller lot sizes. MFB is interested in a mechanism to provide incentives for smaller lots. Dr. Skjaerlund distributed information on the Subdivision Control Act (included in this attachment).

The purchase and transfer of development rights legislation (PDR/TDR) provides local communities authority to purchase or transfer their own rights program. There are protections in the bill for developers and landowners. Landowners' or developers' participation is voluntary. Only homebuilders opposed the TDR concept; therefore, it was pulled to move legislation out of committee last spring. There are discussions now to put this back into the process. Bills are voluntary, locally implemented, and without mandates. They will allow Peninsula Township, Washtenaw County, and Alpine Township in Grand Rapids, etc. to do PDR/TDR programs. Mr. Nelson commented that MFB recognizes the importance of farmland preservation and has been involved in discussions and developing legislation on a number of critical issues including: strengthening P.A. 116, Subdivision Control Act, and the Right to Farm Act; amendments to the Land Sales Act, Seller Disclosure Act, and the Drain Code; and ag security areas. MFB appreciates Dr. Skjaerlund's and MCA's efforts regarding this issue.

Dr. Skjaerlund reported the federal Farm Bill set aside \$35 million for farmland protection programs at state and local levels. Congress limited funding next year to \$2 million; therefore, USDA is taking applications for funds for state and local purchase of development rights programs. Michigan is submitting a proposal for about \$3 million through Natural Resources Conservation Service. Some will be used for parcels in Washtenaw County (part of the P.A. 116 program) and parcels in the Traverse City area (either part of P.A. 116 or the PDR program for Peninsula Township). He anticipates Michigan will be informed by October 1 about the amount it will receive.

**RDCM Activities**. Dr. Skjaerlund distributed and reviewed a summary report of RDCM's current activities (included in this attachment) and a brochure on Financial Lender Meetings (copy on file in the Commission office).