

**Michigan Commission of Agriculture Meeting  
Michigan Department of Agriculture  
Ottawa State Office Building, Pridgeon Conference Room  
611 West Ottawa Street, Lansing, Michigan**

**MEETING MINUTES  
September 12, 2001**

**PRESENT:**

Jordan B. Tatter, Chair  
Douglas E. Darling, Vice-Chair  
James Maitland, Secretary  
Bill Pridgeon, Commissioner  
Dan Wyant

**ABSENT:**

Nora Viau, Commissioner

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

Michigan Department of Agriculture Staff  
Ron Zellar, Assistant Attorney General  
Rob Anderson, Michigan Farm Bureau  
Rich Bowman, Trout Unlimited, Grand Rapids  
Dr. George Burgoyne, Michigan Department of Natural Resources  
Pete Butchko, USDA-Wildlife Services  
Keith Charters, Natural Resources Commission  
Jerry Crandall, MIRS  
Thomas Deliberto, USDA-Wildlife Services  
Ron Graber, Department of Management and Budget  
Kathleen Hawkins, Michigan Cattlemen's Association  
Sam Hines, Michigan Pork Producers Association  
Tom Hickson, Department of Natural Resources  
Ed Hoogterp, Booth News  
Bill Knudsen, Senate Majority Policy Office  
Tonia Koppenaar, Michigan Farm Bureau  
Peter Murray, Organic Advisory Committee  
Kelley Smith, Department of Natural Resources  
Dr. Howard Tanner, former DNR Director  
Craig Thiel, Senate Fiscal Agency  
Dan Vogler, Michigan Aquaculture Association

**CALL TO ORDER AND ROLL CALL**

Chair Tatter called the meeting of the Commission of Agriculture to order at 9:05 a.m. on Wednesday, September 12, 2001. The roll was called with Director Wyant and all Commissioners, except for Commissioner Nora Viau, present. Commissioner Viau's flight was cancelled due to the tragic events that occurred in Pennsylvania, New York City and Washington, D.C.

### **MOMENT OF SILENCE**

A moment of silence was observed in tribute to the dead and missing resulting from the September 11, 2001 terrorist attacks that occurred in Pennsylvania, New York City and Washington, D.C.

### **APPROVAL OF AGENDA**

**MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE SEPTEMBER 12, 2001 MEETING AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

### **APPROVAL OF COMMISSION OF AGRICULTURE AUGUST 16-17, 2001 MEETING MINUTES**

**MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE AUGUST 16-17, 2001 MEETING MINUTES AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

### **NEXT MEETING**

The next regular meeting of the Commission of Agriculture is tentatively scheduled for October 10, 2001, Michigan Department of Agriculture, Ottawa State Office Building, 4<sup>th</sup> Floor, Pridgeon Conference Room, 611 West Ottawa Street, Lansing, Michigan.

### **APPROVAL OF COMMISSIONERS' PER DIEM AND/OR TRAVEL**

**MOTION: COMMISSIONER PRIDGEON MOVED TO APPROVE THE FOLLOWING:**

**--COMMISSIONER TATTER'S, MAITLAND'S, AND DARLING'S MILEAGE TO PARTICIPATE IN THE AUGUST 27, 2001 DROUGHT DISASTER TOURS IN OCEANA AND MONROE COUNTIES, MICHIGAN;**

**--COMMISSIONER VIAU'S MILEAGE TO ATTEND THE AUGUST 29, 2001 BEEF PRODUCERS MEETING IN ATLANTA, MICHIGAN;**

**--COMMISSIONER PRIDGEON'S, MAITLAND'S, AND DARLING'S PER DIEM AND MILEAGE TO ATTEND THE MICHIGAN STATE FAIR GOVERNOR'S LUNCHEON ON AUGUST 24, 2001 IN DETROIT, MICHIGAN.**

**SECONDED. MOTION CARRIED UNANIMOUSLY.**

## APPROVAL OF DIRECTOR'S OUT-OF-STATE TRAVEL

**MOTION: COMMISSIONER DARLING MOVED TO APPROVE DIRECTOR WYANT'S TRAVEL ON OCTOBER 16, 2001 TO ATTEND A MEETING WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY IN CHICAGO, ILLINOIS. SECONDED. MOTION CARRIED UNANIMOUSLY.**

## COMMISSIONERS' COMMENTS

**Commissioner James Maitland** reported on his participation in the drought disaster tour in Oceana County, organized by MDA, the Farm Service Agency, and Michigan State University. He noted that the impact of the drought on that area is devastating. He expressed his appreciation for the well-planned tour. Commissioner Maitland also attended the Livestock Auction and Governor's Luncheon at the Michigan State Fair. The Office of Racing Commissioner's display was both educational and interesting. Prior to attending the fair, Commissioner Maitland toured the Hudson, Michigan area to see the area. He was impressed with the confined animal feeding operations, and noted that it is a rural area, with many new homes currently under construction. He attended the Northwest Michigan Research Center's annual open house. He believes that the rains during the last month will have a positive effect on apple production.

**Commissioner Bill Pridgeon** expressed regret for not attending last month's meeting due to death in his family. He agreed with Commissioner Maitland that southern Hillsdale County is a rural, agricultural community. There is a conflict between farming and those who desire to move from urban to rural areas. He said that northern Indiana and some lower tier Michigan counties were spared the drought problems experienced in other parts of the state. He reported that currently the livestock industry is doing well in the market.

Commissioner Pridgeon referred to a lawsuit brought against the Preston Farm in Quincy by a neighbor. The Court of Appeals ordered the case back to circuit court. The court did not find that the changes in the Right To Farm Act were retroactive. The judge did rule that the legislature clearly intended that the Act did take precedence over local zoning. The Preston family will have to decide whether or not to appeal and risk another expensive trial. Commissioner Pridgeon believes that the state is on the right course, and good judgment is needed when there are neighbors and farmers who are trying to coexist.

Director Wyant added that the court did rule that the financial judgment against the Prestons was inappropriate.

Commissioner Pridgeon referred to a letter his farm received from The Sierra Club. This same letter was sent to many producers alleging that their livestock operations were not in compliance with state regulations.

**Commissioner Douglas Darling** agreed that Hillsdale County is an agricultural community. He expressed his appreciation to Commissioner Maitland for taking the time to tour the area. He reported that the drought situation in the eastern portion of the state has been sporadic and was severe in some areas. He has received positive

comments about the drought disaster tour and the efforts and concern by MDA, the Farm Service Agency, and Michigan State University. Commissioner Darling attended the Michigan State Fair Governor's Luncheon. He also judged the Michigan Farm Bureau District Discussion Meet, and appreciated the young people's interest in agriculture issues. There continues to be a lot of discussion by farmers about the new federal Farm Bill.

**Chair Jordan Tatter** reported that the southwest corner of the state has not suffered from drought to the extent of the majority of the state's croplands. Mid September finds the area with excess soil moisture. Grape harvest is underway, and tonnage will be about half of last year's, due to poor pollination weather in June. Blueberry harvest is all but done, and the crop will be close to last year's good crop. Apple harvest is at hand; however, our reduced southwestern Michigan crop, due to last year's fire blight epidemic, is going into a demoralized apple market nationwide, with growers and processors struggling for profit.

Since the last meeting, Chair Tatter participated in the following activities:

- ? A golf outing conducted by State Representative Charlie LaSata that had almost 100 local and Lansing-based participants at the daylong event, as well as numerous sponsors.
- ? Three days of visiting with hunt club members and club managers in Deer Management Unit 452. Natural Resources Chair Keith Charters and Department of Natural Resources staff arranged the visits. He and Chair Charters were the only "state official types" present. Contacts were made with 18 clubs, with over 100 square miles (70,000 plus acres) of hunt club property under intensive deer herd habitat management.
- ? A Berrien County GOP picnic, at which several candidates for state offices participated and worked the crowd for support.
- ? A fund-raiser for Lt. Governor Dick Posthumus, hosted by David and Barbara Whitman. David Whitman is chair of the Whirlpool Corporation, based in Benton Harbor. It is the world's largest home appliance manufacturer.
- ? A drought disaster tour in Oceana County at which Director Wyant led the discussion with other state, federal and local officials, along with growers and food processors from the area. Commissioner Maitland also was in attendance.
- ? A Michigan Food Processors Association Harvest Outing held at St. Ives Golf Club in Stanwood. Over 100 processors and industry supply representatives took part in this 18<sup>th</sup> annual event.
- ? The Michigan State University Southwest Michigan Research and Extension Center's summer joint committee and board meeting, farm tour, and dinner. Chair Tatter serves on both the Center's local committee and state board.
- ? Chair Tatter hosted Dr. Ian Gray, Director of the MSU Agriculture Experiment Station, and Gale Arent, Associate Director of MSU Extension, to a luncheon and afternoon of golf at which Michigan agriculture and MSU/MDA cooperation was further advanced.
- ? An event at The University Club to kick off the fundraising efforts for an endowed professorship and graduate student fellowship program at Michigan State University in the name of Dr. Gordon Guyer. This will be a multi-year effort to fund a multi million-dollar commitment to MSU.

Chair Tatter noted the purchase of Packerland (MURCO) took place last week by Smithfield Foods. The impact of this ownership change on its Plainwell plant is yet to be

determined. He continues to observe financial distress in our basic Michigan fruit and vegetable processing industry that directly impacts the supplying grower community.

**LEGISLATIVE REPORT: Brad Deacon, Legislative Liaison**

**Brad Deacon, Legislative Liaison**, reported on legislative issues affecting MDA. He reported that the primary election was held to fill the vacancy caused by the expulsion of Senator David Jaye. Due to recent national events, the House Appropriations Committee meeting was cancelled and will be rescheduled. Mr. Deacon distributed and reviewed current "MDA Legislative Issues for Fall 2001."

**DIRECTOR'S REPORT: Dan Wyant, Director**

Director Dan Wyant distributed and reviewed his monthly activities and also discussed the following:

- ? **Weights and Measures:** As a result of yesterday's terrorist attacks in Washington D.C. and New York, the State of Michigan is on a heightened sense of awareness and security. Numerous complaints and concerns have been received about gas pricing. MDA's Weights and Measures program is involved in the issue by participating in meetings with the Michigan State Police, Public Service Commission, and Michigan Department of Transportation. Staff will respond to consumer concerns; however, MDA does not have responsibility for resolving gas-pricing complaints. The Attorney General's Consumer Protection Division would address these complaints. There was a 40 percent spike in the demand for gasoline yesterday, with some shortages reported.

Director Wyant introduced Linda Hunt, Executive Director of the Michigan Association of Fairs and Exhibitions.

- ? **Drought:** Governor Engler has requested a drought disaster declaration for 73 Michigan counties. The federal program allows for adjacent counties also to qualify for low-interest loans.
- ? **West Nile Virus:** A substantial number of birds are infected with the West Nile Virus. MDA is working with the Department of Community Health and Michigan State University. MDA staff will present a more detailed report later in today's meeting.
- ? **Michigan State Fair:** The quality of this year's Michigan State Fair was excellent. However, preliminary results show that paid attendance revenue is down from last year.
- ? **New State Veterinarian:** Interviews are being held to fill the position of State Veterinarian. It is expected that an announcement to fill that vacancy could be made in early October.
- ? **Confined Animal Feeding Operation:** The Sierra Club has sent letters to several Michigan dairy and hog farms alleging that these operations are not in compliance with the Clean Water Act. The letters directed farmers to immediately contact the

Michigan Department of Environmental Quality to apply for a permit. Director Wyant and Department of Environmental Quality Director Russ Harding have reviewed the issue and disagree with the Sierra Club's position. Farm operators have been advised of the departments' interpretation of the Act.

Vicki Pontz-Teachout, Director of the Environmental Stewardship Division, and Wayne Wood, President of the Michigan Farm Bureau, recently traveled to Washington D.C. to meet with EPA officials. The meeting was held to discuss the Michigan Agriculture Environmental Assurance Program and how it relates to Michigan's confined animal feeding operations. US-EPA officials have been invited to visit Michigan in October to tour its facilities. Staff also will be making a presentation about the program to the legislature next week. September 17 through September 23, 2001 is Pollution Prevention Week in Michigan.

- ? **Public Act 344: Dave Charney, Administrator of the Agricultural Marketing and Bargaining Board (AMBB)** reported that a lawsuit was filed attempting to enjoin the Agricultural Marketing and Bargaining Board from holding a hearing on an allegation made by MACMA against Mason County Fruit. The lawsuit alleged that the AMBB was without authority to hold that hearing. On September 11, 2001, the Ingham County Circuit Court refused to issue an injunction to stop the board from holding that hearing. The court also dismissed the lawsuit in its entirety. The MACMA/Mason County Fruit hearing is scheduled to be held on October 16, 2001.
- ? **Public Act 232:** Chair Tatter asked about the status of handlers who have not submitted required assessments paid by growers. Director Wyant responded that it is the responsibility of MDA to pursue the issue of outstanding unpaid assessments. The first step is to send a letter to that handler, then to conduct an audit. One handler who has outstanding assessments has filed bankruptcy, but that would not be a protection for delinquent funds.
- ? **Natural Resources Commission:** Governor Engler appointed Jim Campbell to the Natural Resources Commission. Mr. Campbell is a board member and past president of the Michigan United Conservation Clubs.
- ? **Specialty Crop Economic Assistance:** Director Wyant distributed and reviewed a letter received from USDA Secretary of Agriculture Ann Veneman. The letter provides direction to the State regarding an agricultural economic assistance package. Under the statute, the USDA is directed to provide \$159.4 million to support all state's activities to promote agriculture, primarily specialty crops. Michigan's total allocation is \$3.75 million. The statute also provides \$10 million for grants to states for the Emergency Food Assistance Program. Michigan will receive \$334,857.

MDA is working with the Michigan Farm Bureau, the industry, and commodity organizations to determine the best use and distribution of these funds. The proposed criteria would be based on market expansion, export, domestic promotion, research, and value-added opportunities. The goal would be to expand markets by looking at long-term support for the industry. A portion of the money could be put in the Julian Stille Value-Added Agriculture Development Fund to invest in a grant program that would look at value-added activities for specialty crop programs. Director Wyant said that more detail needs to be developed, and the department will

review the commodity's involvement in determining the most efficient and effective way to use the funds.

- ? **MDA Move:** On October 19, 2001, the Department of Agriculture will be relocating to Constitution Hall, 525 West Allegan Street, Lansing, Michigan.

**UPDATE ON FIVE STATE BEEF INITIATIVE AND GREAT LAKES PORK COOPERATIVE: Brian Preston of the Agriculture Development Division, Sam Hines, Vice-President of the Michigan Pork Producers Association, and Kathleen Hawkins, Executive Director of the Michigan Cattlemen's Association**

**Brian Preston of the Agriculture Development Division** provided an update on the Five State Beef Initiative and Great Lakes Pork Cooperative. He distributed and reviewed information about the Five State Beef Initiative. The goal of the program is to strengthen economic opportunities for the Eastern Corn Belt's beef industry by providing added value to the consumer through a responsive production and marketing system. Members include land grant universities, cattlemen associations, state departments of agriculture, state farm bureaus, and United Producers and MLE Marketing—Southern States. Last year 5,000 feeder calves throughout the five-state area were tagged, and this year the goal is to tag 10,000 calves. Each state is responsible for tagging 2,000 calves. A certification program will begin in late December, early January. Producers will be certified to produce calves in the five-state beef initiative.

**Kathleen Hawkins, Executive Director of the Michigan Cattlemen's Association,** explained that the Michigan Cattlemen's Association will be working on three objectives: 1) to develop a more defined beef quality and safety assurance program; 2) to work with feed lots and engage them to become more active in this five state program; and 3) to lay a foundation for the development of a new generation of cooperative type business by looking at different marketing opportunities.

**Sam Hines, Vice-President of the Michigan Pork Producers Association,** said that the Great Lakes Pork Cooperative is an outgrowth of an initiative that was originated by the Michigan Pork Alliance. The idea is to bring producers together from a regional perspective. The Great Lakes Pork Cooperative was incorporated in Ohio because of the flexibility in Ohio's law.

Brian Preston added that the Great Lakes Pork Cooperative initiated two feasibility studies to examine a producer-owned coordinated production system. Ohio State University is conducting one study, and the other by an agri-business group based in Indianapolis.

Chair Tatter noted that if Michigan's incorporation laws are disadvantageous to business, legislative changes should be considered.

**RECESS**

The meeting recessed at 10:30 a.m. in order that the Commission could attend the Animal Health Laboratory Ceremony at Michigan State University, East Lansing, Michigan.

## **RECONVENE**

The meeting reconvened at 1:55 p.m.

## **UPDATE ON BOVINE TUBERCULOSIS: Dr. Nancy Frank, Acting State Veterinarian, Animal Industry Division**

**Dr. Nancy Frank, Acting State Veterinarian and Acting Director of the Animal Industry Division**, reported that the 17th beef herd has been diagnosed with bovine tuberculosis. She distributed copies of information that lists the bovine tuberculosis positive herds as of September 2001. The most recent infected herd is a small beef herd located in Alpena County, and is a trace herd from a previously infected herd. This most recent beef herd has been tested before. Staff continues to actively test in Northeast Michigan and in other areas of the state. MDA is monitoring animal movement across the Mackinac Bridge. For the period between July 16 and August 31, approximately 1,500 animals were transported from the Lower Peninsula to the Upper Peninsula.

Dr. Frank said that MDA is in the process of instituting an electronic identification program in Northeast Michigan. Electronic ear tags have been applied to several animals in three different herds. This method of identification will provide valuable information on animal movement.

## **REPORT ON COMMISSION VISITS TO DEER HUNT CLUBS: Jordan Tatter, Chair of the Commission of Agriculture, and Keith Charters, Chair of the Natural Resources Commission**

**Chair Jordan Tatter, Chair of the Commission of Agriculture**, reported on visits to hunt clubs he and Keith Charters, Chair of the Natural Resources Commission, were asked to make by Robert Bender, State Bovine Tuberculosis Eradication Coordinator, MDA Director Wyant and Director K.L. Cool of the Department of Natural Resources. He noted that there was an open exchange of information, views, and ideas during these visits. During the three-day period, they communicated with 18 clubs, located in Deer Management Unit (DMU) 452.

**Keith Charters, Chair of the Natural Resources Commission**, expressed his appreciation for the opportunity to meet informally with the clubs. He believes that lacking additional hunter participation, the goal to further reduce deer numbers in that area will not be successful. He said there were discussions on ways to reduce deer numbers; however, hunt club members believe that the deer herd numbers have decreased over the past three years. Chair Charters said that he and Chair Tatter observed very few deer in the area during their visits. Hunt clubs should be commended for reducing the deer herds in that area. In fact, the hunt clubs believe that the deer population is on the verge of being too low; however, they seem to be satisfied with that lower level. Chair Charters said that Deer Management Assistance permits were given to many of the hunt clubs at no charge.

Chair Tatter believes that there are reduced numbers of hunters, especially older hunters, who are bow hunting in DMU 452 due to the elimination of baiting.



Chair Charters said that both he and Chair Tatter agree that if the goal is to continue to bring deer numbers down, hunters need to be given the tools to do so, including baiting. On their tour, Chair Charters and Chair Tatter discussed the following opportunities with hunt club owners and members:

- 1) Allow baiting during bow hunt season in particular in Deer Management Unit 452.
- 2) Allow a late winter culling of poor conditioned deer in DMU 452, supervised by the Department of Natural Resources.
- 3) Improve communication efforts with hunt clubs by establishing an advisory committee of club owners that would open the lines of communication among all clubs and state agencies.
- 4) Present the state's bovine tuberculosis deer eradication strategy to prosecutors and district judges at their annual association meetings to provide a clear understanding of the goal and potential consequences of baiting and feeding violations.

**Robert Bender, State Bovine Tuberculosis Eradication Coordinator**, said that USDA has indicated that if Michigan allows deer baiting as outlined, it would not penalize the state in terms of its status. However, USDA did express concern about how broadly the state would allow deer baiting. He recommended that baiting be allowed for bow hunting, but not for the firearm season.

Mr. Bender noted that bow season begins October 1; therefore, action would need to occur at tomorrow's NRC meeting. He recommends that deer baiting be allowed during bow season that it be viewed as a one-year pilot project to see if deer numbers actually do come down. He also recommends that it would be experimental baiting only, and with Deer Management Assistance permits, only available in DMU 452. Baiting would be limited to shelled corn and small grain, no sugar beets or carrots, and bait must be spread as required under the present two-gallon limit. There would be no pre-baiting allowed, and all deer heads harvested must be turned in to the DNR. The Natural Resources Commission will be meeting tomorrow and must act by October 1 on specific recommendations, including those discussed here today.

Director Wyant stated that the objective continues to be to bring deer numbers down. He believes that if deer baiting is allowed as a one-year pilot, there must be an evaluation of numbers versus incidence rates. He emphasized that there must be a measurable standard to determine success.

Chair Tatter believes that the hunt clubs would be able to provide that data for their individual premises.

Commissioner Darling expressed concerns over the proposal. He suggested that if baiting for bow hunting only was allowed, it should be by permit. He also suggested that baiting, if it is to be allowed at all, be limited to a scientific pilot project, only in DMU 452, only for bow hunting, and only with small grains in limited amounts.

Commissioners Maitland and Pridgeon agreed with the discussion as presented by Commissioner Darling. Chair Tatter noted that he had discussed these recommendations with Commissioner Viau and she stated no objection.

NRC Chair Charters thanked the Agriculture Commission for expressing its concerns and for identifying specific criteria.

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Director Wyant introduced Ron Graber, a budget analyst with the Department of Management and Budget. Mr. Graber is working with MDA on its budget issues.

**REPORT ON FOOT-AND-MOUTH DISEASE IN GREAT BRITAIN: Dr. Peggy Roth, Animal Industry Division**

**Dr. Peggy Roth of the Animal Industry Division** distributed information and provided a Power Point presentation on her recent assignment to Great Britain to assist with Foot-And-Mouth Disease (FMD) efforts.

Dr. Roth was in England during the month of July as part of a US Department of Agriculture work detail. The virus that causes FMD is very contagious to cloven hoof animals. Sheep do not visibly show the signs of disease; therefore, the disease can be spread with little warning. One major issue is biosecurity methods and an attempt to control the spread. Even farms that were not infected, but were adjacent to contaminated farms, were depopulated. The United Kingdom had about 41 million sheep before the FMD outbreak; the United States has approximately six million sheep. Approximately four million animals have been disposed of in Great Britain, most of those animals were sheep at a cost of almost \$1.4 billion (U.S. dollars.) It takes the efforts of many to eradicate the disease. Dr. Roth noted that it would take years for the spread of the disease to end in Great Britain.

Commissioner Pridgeon asked about vaccination efforts, and would vaccination be used if there was an outbreak in the U.S.

Director Wyant responded that it would depend on the strain; however, one thing is certain, if vaccination is used the U.S. export market would end. There would be tremendous pressure from non-infected states not to vaccinate. A quick response would be the first option.

Commissioner Darling asked about U.S. biosecurity controls when Dr. Roth re-entered the U.S.

Dr. Roth responded that before she arrived at Chicago's O'Hare airport, she was required to complete a declaration form. She believes that the limitation of the system is, in great part, in the truthfulness of the individual's answer.

**REPORT ON THE MICHIGAN AGRICULTURE ENVIRONMENTAL ASSURANCE PROGRAM:  
Vicki Pontz-Teachout, Director, and Janice Wilford of the Environmental Stewardship  
Division**

**Janice Wilford, Manager of the Michigan Agriculture Environmental Assurance Program (MAEAP)**, said there are 25 farms of varying size and commodity across the state, including one in the Upper Peninsula, involved in a pilot program. The purpose of the pilot program is to ensure that the tools used to write the Comprehensive Nutrient Management Plans are appropriate and involve the producer. It is important to the plan writer and to the producer to deliver a product that is functional on the farm. Plan writers also work with the Natural Resources Conservation Service and a groundwater technician. The goal is to promote and involve local communication. Once a plan is written it is submitted for review and an on-farm visit is conducted. It is expected that by the end of October all plans will be reviewed. Producers have been very cooperative.

Ms. Wilford distributed and reviewed a list of the "MAEAP Tentative Livestock System Phase I Educational Sessions."

**Vicki Pontz-Teachout, Director of the Environmental Stewardship Division**, said that the enthusiasm for the program is a result of the pilot. She will have an opportunity next week to make a presentation to legislators about the Conservation Reserve Enhancement Program, the Michigan Agriculture Environmental Assurance Program (MAEAP), and MDA's pollution prevention efforts. She added that next week is Pollution Prevention Week. The legislative presentation also would include discussions about HB5013, the pollution prevention statute, and its connection to MAEAP.

Ms. Pontz-Teachout said that MDA continues to work with the US-EPA. Director Wyant, Department of Environmental Quality (DEQ) Director Russ Harding, and Michigan Farm Bureau President Wayne Wood have invited the US-EPA's agriculture liaison to Michigan. The visit would provide an opportunity to review Michigan's program, enforcement practices, and to observe how the voluntary part of the program works to manage environmental issues on livestock farms.

Commissioner Darling asked about the involvement of Michigan State University Extension. Ms. Pontz-Teachout responded that MSU Extension agents are not writing the plans, but are involved in the educational aspects of the program.

**UPDATE ON "TREE OF HOPE" PROJECT: Kathy Kissman, Director of Marketing and  
Communications Division**

**Kathy Kissman, Director of the Marketing and Communications Division**, distributed and reviewed information about a "Tree of Hope" project. Every year since 1969 a different national forest is invited to donate a holiday tree to Washington DC to be placed on the lawn of the US Capitol. This year's tree has been selected from the Ottawa National Forest, located in the eastern Upper Peninsula. Michelle Engler is this year's honorary chair. The tree cutting ceremony in the Ottawa National Forest will be held on November 13, 2001. The tree will be called the "Tree of Hope" because Michigan is sending the hopes and good wishes from the people of the state of Michigan to the U.S. Capitol. This is also the theme that will be used for the ornaments that will be placed on the tree. Michigan residents and artisans will handcraft over 6,000 ornaments.

Ms. Kissman said that the tree selected is a 74-foot spruce, that is 67 years old. The tree will leave the Ottawa National Forest in mid November on its trip to Washington, DC, and will stop for community celebrations in 10 Michigan cities. Communities involved in the celebration are Iron County, Marquette, Cadillac, Standish, Frankenmuth, Lansing, Kalamazoo, Ypsilanti, Port Huron, and Lake Orion. In addition, the Michigan Christmas Tree Association will be donating 200 holiday trees to 200 habitat homes in 2001 as part of the "Tree of Hope" project.

After the holiday, the tree will be milled into lumber that will help build Habitat for Humanity homes in 2001. Studs from the tree will be returned to the Michigan cities that hosted a Tree of Hope celebration. Seeds from the cones will be planted in urban parks as part of Arbor Day 2001, celebrating the renewal of our forests.

**UPDATE ON WEST NILE VIRUS: Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division, and Melvin Poplar, Program Manager of the Insect and Rodent Control Program**

**Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division**, introduced Melvin Poplar, Program Manager of the Insect and Rodent Control Program. Mr. Rauscher explained that in 1999 the West Nile Virus (WNV) was first detected in New York City, and has spread to many other states.

**Melvin Poplar, Program Manager of the Insect and Rodent Control Program**, said that the West Nile Virus has officially arrived in Michigan. Two years ago, New York City officials became concerned about the number of dead birds, primarily crows, found throughout city. It was determined that these birds were infected with WNV. Mosquitoes transmit the disease by feeding on WNV infected birds. Humans do not transmit the disease, although those over 50 years of age are at most risk for contracting the disease. However, the risk is less than 1 percent. WNV was identified in August 2001 in the downtown area of Windsor, Canada. Two days later, Michigan found two positive crows, one in Clinton Township in Macomb County, and the other in Royal Oak in Oakland County. Another six positive crows were found in Macomb and Oakland counties, as well as in the City of Detroit. Soon after six more WNV positive crows were found, then 11, and as of September 7, 2001, there were 54.

Mr. Poplar said that the public has been kept informed by the Michigan Departments of Community Health and Agriculture. The public has been asked to report dead crows. As of last Friday, 494 birds had been submitted for initial screening to the Animal Health Diagnostic Laboratory. Nationally, WNV has been identified in 82 species of birds.

There are 19 species of mosquitoes that have been identified positive for WNV in the US. MDA has begun surveillance at the point where the first positive crow was found. Mosquito traps are being used in many locations. MDA has captured 12 different species of mosquitoes, and five of those species were the type found nationally to be infected with WNV. Four of the five species were "bridge" mosquitoes, meaning that they bite humans, horses, and birds. The other species was a bird-biting mosquito. Most of the mosquitoes captured were older mosquitoes and had four to five different blood meals. This indicates that the virus is in their glands and the chance of transmission to humans is even greater.

Mr. Rauscher said that the risk of being bit by an infected mosquito is very low, probably less than 1 percent. The risk of contracting the disease is even less.

**PRESENTATION BY PETER MURRAY, CHAIR OF THE MICHIGAN ORGANIC ADVISORY COMMITTEE:**

**Peter Murray, Chair of the Michigan Organic Advisory Committee**, gave a presentation on the growth of the organic industry in the nation, as well as in Michigan. He said that organic acreage has doubled nationally since 1997. One issue that continues to be addressed by the organic industry is labeling. He said that the organic industry is working to standardize labels. He noted that even in the current national economic downturn, there has not been a decrease in the organic industry. The farm gate value of organic food is 20 to 30 percent higher for the same dollar spent on conventional food.

Mr. Murray said that organic-prepared foods are the fastest growing segment of the food industry. He noted that international growth has increased as well. Michigan's organic advisory committee is a diverse stakeholder group representing all aspects of the organic community. The committee believes that linkages are important, even with the conventional agriculture industry. He asked that MDA and the Commission consider monetary support whenever possible.

Director Wyant said MDA would continue to work with the organic food industry on potential growth opportunities.

**UPDATE ON MDA'S AQUACULTURE PROGRAM: Dr. Doug Hoort, Animal Industry Division**

**Dr. Doug Hoort of the Animal Industry Division** provided an update on MDA's aquaculture program. He distributed the *"Great Lakes Fish Disease Control Policy and Model Program: Protocol to Minimize the Risk of Introducing Emergency Disease Agents with Importation of Salmonid Fishes from Enzootic Areas," published by the Great Lakes Fishery Commission (Special Publication 931).*

Dr. Hoort said that the Michigan Aquaculture Act made fish farming part of agriculture. The Act provided this industry with the same rights and responsibilities of other agriculture enterprises. The law states that fish are the private property of the farmer. Dr. Hoort said that his responsibility is to address the issues of aquaculture as they relate to public and animal health. Farmers transporting fish into the state must have an interstate health certificate, or a fish disease inspection report issued by an accredited veterinarian. Prior to licensing and registering a facility, a field veterinarian must inspect the facility to ensure that ponds, etc., are escape-proof and contain only approved species. The veterinarian also reviews the fish farmer's records of purchase and production.

Dr. Hoort said that this segment of the agriculture industry in Michigan is small, but has the potential for large growth. MDA will continue to work with the aquaculture industry and the Department of Natural Resources to discuss the issues that affect the industry, and Michigan's natural resources. He believes that there is a need for a Memorandum of

Understanding between the two departments to address disease and risk management issues.

### **PRESENTATION BY DR. HOWARD TANNER REGARDING AQUACULTURE PERMITS AND WHIRLING DISEASE**

**Dr. Howard Tanner, former director the Michigan Department of Natural Resources**, grew up on Jordan River in Michigan, and discussed what he called the unique strength, stability, and value of the Jordan River. He attributed generations and decades of good stewardship as the reason this river is of value. He said that in 1972 the Jordan River became one of the first natural rivers under the Natural Rivers Act.

Dr. Tanner became director of the Department of Natural Resources in 1975 where he worked hard to protect the Jordan River and its valley. In recent years, however, many activities pose risks that threaten the river and demean its value as a wild and beautiful place. "*Friends of the Jordan*," which is a local organization, has been successful in fighting efforts to develop oil and gas exploration in the area. The Jordan River and its valley are products of good stewardship and protection.

He believes that federal, state, and private fish hatcheries, if connected with surface water, will leak fish and disease, even under the best of circumstances. Fish diseases are spreading across the world. Dr. Tanner believes there are places where it is appropriate to have private hatcheries, and he is supportive of aquaculture, but he also believes there are locations where it should not be permitted, and the Green River Hatchery in the Jordan River Valley is one of those places. He stated that this is a shared responsibility, and species, private property rights, and public values all must be considered whenever a permit or license is issued. Federal, state, and private hatcheries should be frequently inspected. He is concerned that, at present, the cost of inspecting private hatcheries is borne by the private hatchery owner. He believes the state should incur the cost of inspection, not the owner.

Director Wyant agreed that it is important that MDA and DNR work together to receive the necessary input before permits are issued. He recommended that the staff from each department meet to look at the permit process and share the result of the meeting with the Commission.

### **PUBLIC COMMENT:**

**Dan Vogler, President of the Michigan Aquaculture Association**, said his association represents most of the private aquaculture facilities in Michigan. Most of these facilities are small family operations, although it is a growing industry. Michigan ranks eighth in the nation in private aquaculture production.

Mr. Vogler is concerned about diseases and risk management. It is important that decisions are made based on sound science. Whirling Disease is an issue of legitimate concern. Whirling Disease has been in Michigan for over 40 years. It is a disease that has resisted the most stringent attempts at eradication. There has never been a history of a clinical disease outbreak in the wild population of Michigan, and there are no human health issues involved with Whirling Disease.

The Jordan River and the Green River Trout Farm issue is of considerable controversy. Mr. Vogler stressed that it is important to keep in mind that the constitutional rights of a private property owner are sacred. The Green River Trout Farm is an MDA-permitted facility. There is an issue of controversy with the Natural Rivers Zoning Board that denied the Green River Trout Farm the opportunity to operate, which is of great concern to him and the industry. The Green River Trout Farm has existed for over 40 years on that watershed. There has never, to his knowledge, been any reported negative impact on that watershed. The ownership has recently changed.

**Rich Bowman, Executive Director of Trout Unlimited**, said his organization supports the aquaculture industry. Aquaculture takes some pressure off our natural resource for consumptive fish harvest. His national organization is 40 years old, and was originally formed in Michigan. Its goal is to restore cold water lakes and streams that support native and naturally reproducing populations of trout and salmon. There are over 30,000 miles of rivers and streams in Michigan, over 12,000 miles are classified as cold water streams. This means that there is enough cold groundwater that feeds into them that they maintain the temperate regime that allows trout to survive.

Mr. Bowman said that one critical issue is that water temperature above 70 degrees causes the fish to die, depending on the species of trout. There have been changes to the landscape over the years causing the amount of available groundwater to lessen and to increase in temperature. Of the 12,000 miles of cold water rivers and streams, only 835 miles are designated Blue Ribbon trout waters. It is important to note that the Jordan River, including the Green River Hatchery, is within that 835 miles of Blue Ribbon water.

He agrees with Dr. Tanner that the area is a unique resource. He is excited to see self-contained aquaculture facilities use their own wells and springs. Mr. Bowman is concerned that the Green River Trout Farm is an older facility and may not have the most up-to-date risk management technology.

Mr. Bowman has testified in support of the aquaculture industry. He is asking that the Michigan Department of Agriculture bring the same level of serious attention to the aquaculture permitting process as it does food safety. Environmental health is as an important issue, as public and animal health.

**Tonia Koppelaar of the Michigan Farm Bureau** expressed appreciation on behalf of the Michigan Farm Bureau for MDA's leadership in the Animal Health Diagnostic Laboratory. She said they are also appreciative for MDA's efforts in the drought disaster designation.

Ms. Koppelaar said that Michigan Farm Bureau policy does not support limited deer baiting. She also expressed concern about nutrient management and composting standards. The Michigan Farm Bureau is in discussions with the Michigan Composting Council. She said that animal diseases continue to be of concern to MFB members, and there are questions about WNV and its impacts on poultry. Johnes Disease continues to be of concern and the state needs to be proactive in eradicating that disease.

**APPROVAL OF THE DRAFT RULES AND REGULATIONS FOR THE JULIAN-STILLE VALUE-ADDED ACT TO PROCEED WITH PUBLIC HEARING: Robert Craig, Director of the Agriculture Development Division**

**MOTION: COMMISSIONER MAITLAND MOVED TO PROCEED WITH PUBLIC HEARING FOR THE JULIAN VALUE-ADDED ACT DRAFT RULES AND REGULATIONS. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF COMMISSION OF AGRICULTURE RESOLUTION: DAN WYANT, DIRECTOR**

Director Wyant presented a Commission of Agriculture Resolution honoring Jon Hartig who will be retiring from the Fairs, Exhibitions and Racing Division.

**MOTION: COMMISSIONER PRIDGEON MOVED TO APPROVE THE COMMISSION OF AGRICULTURE RESOLUTION HONORING JON HARTIG OF THE FAIRS, EXHIBITIONS AND RACING DIVISION. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**ADJOURN:**

**MOTION: COMMISSIONER MAITLAND MOVED TO ADJOURN THE MEETING AT 5:20 P.M. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**ATTACHMENTS:**

The following documentation is on file in the Commission of Agriculture office and is available upon request. Contact Vicki Burke, Secretary to the Commission, P. O. Box 30017, Lansing, Michigan 48909, or (517) 373-1085.

Attachment A	Commission of Agriculture September 12, 2001 Meeting Minutes
Attachment B	MDA Legislative Issues for Fall 2001
Attachment C	Director's Report – September 2001
Attachment D	Correspondence from USDA Secretary of Agriculture Ann Veneman regarding Specialty Crop Economic Assistance
Attachment E	Five-State Beef Initiative and Great Lakes Pork Cooperative
Attachment F	Bovine Tuberculosis in Michigan
Attachment G	Foot-And-Mouth Disease in Great Britain
Attachment H	"Michigan Agriculture Environmental Assurance Program Tentative Livestock System Phase I Educational Sessions"
Attachment I	"Tree of Hope" Project
Attachment J	"Great Lakes Fish Disease Control Policy and Model Program: Protocol to Minimize the Risk of Introducing Emergency Disease Agents with Importation of Salmonid Fishes from Enzootic Areas," published by the Great Lakes Fishery Commission (Special Publication 931)
Attachment K	Draft Rules and Regulations for the Julian-Stille Value-Added Act
Attachment L	Commission of Agriculture Resolution honoring Jon Hartig, Fairs, Exhibitions and Racing Division