

**Michigan Commission of Agriculture Meeting
Geagley Laboratory
1615 S. Harrison
East Lansing, MI**

**MEETING MINUTES
September 17, 2003**

PRESENT:

Nora Viau, Chair, Commission of Agriculture
Bill Pridgeon, Vice-Chair, Commission of Agriculture
James Maitland, Secretary, Commission of Agriculture
Douglas Darling, Commission of Agriculture
James Byrum, Commission of Agriculture
Dan Wyant, Director, Michigan Department of Agriculture

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

Michigan Department of Agriculture Staff
Allyn Anthony, Michigan State Horticulture Society
E.J. Brown, Michigan Association of Fairs and Exhibitions
Amy Frankmann, Michigan Nursery and Landscape Association
Dan Hager, Michigan Potato Industry Commission
Tonia Koppenaal, Michigan Farm Bureau
Ron Nelson, Michigan Farm Bureau
Mark Salagar, House Democratic Policy Office
Dave Smith, Michigan Vegetable Council

CALL TO ORDER AND ROLL CALL

Chair Viau called the meeting of the Commission of Agriculture to order at 9:15 a.m. on Wednesday, September 17, 2003. Secretary Maitland called the roll with Director Wyant, Commissioners Byrum, Darling, Maitland, Pridgeon, and Viau present.

APPROVAL OF AGENDA

**MOTION: COMMISSONER PRIDGEON MOVED APPROVAL OF THE
SEPTEMBER 17, 2003 AGENDA AS PRESENTED. SECONDED.
MOTION CARRIED UNANIMOUSLY.**

APPROVAL OF JULY 22, 2003 MEETING MINUTES

MOTION: COMMISSIONER PRIDGEON MOVED APPROVAL OF THE JULY 22, 2003 MEETING MINUTES. SECONDED. MOTION CARRIED UNANIMOUSLY.

NEXT MEETING

The next meeting of the Commission of Agriculture is scheduled for November 5, 2003 at Constitution Hall, Lansing.

APPROVAL OF COMMISSIONERS' PER DIEM AND TRAVEL

MOTION: COMMISSIONER PRIDGEON MOVED TO APPROVE TRAVEL EXPENSE FOR COMMISSIONERS DARLING AND BYRUM FOR AUGUST 22, 2003, GOVERNOR'S DAY AT THE MICHIGAN STATE FAIR IN DETROIT; AND FOR COMMISSIONER MAITLAND FOR AUGUST 15, 2003, GOVERNOR'S DAY AT THE UP STATE FAIR, ESCANABA. SECONDED. MOTION CARRIED.

APPROVAL OF DIRECTOR'S OUT-OF-STATE TRAVEL

MOTION: COMMISSIONER BYRUM MOVED TO APPROVE TRAVEL FOR DIRECTOR WYANT FOR THE FOLLOWING:

- SEPTEMBER 8, 2003, WASHINGTON, D.C. TO MEET WITH CONGRESSIONAL DELEGATES TO DISCUSS EMERALD ASH BORER AND REQUEST FEDERAL SUPPORT.**
- SEPTEMBER 19-23, 2003, BOISE, IDAHO TO ATTEND THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE CONFERENCE.**

SECONDED. MOTION CARRIED.

COMMISSIONERS' COMMENTS

Commissioner Darling attended a tour of the Northwest Terminal Points of Entry at the Detroit Metropolitan Airport. USDA hosted the tour to provide an opportunity for staff to see the newly renovated terminal. He also attended Governor's Day at the Michigan State Fair. Commissioner Darling was a judge at a District Discussion Meet for Michigan Farm Bureau (MFB). He has attended a couple of MFB annual meetings in his area. He stated that the corn in the Southeast looks good, with lots of rain recently. Soybeans are not reacting well to the moisture, with white mold, aphids, brown stem, sudden death, etc.

Commissioner Pridgeon stated that the lower central section of the state seems to have a bumper crop, even soybeans look good. Feeder cattle have hit an all-time high, with a

tremendous demand for beef. Commissioner Pridgeon reported that he is three-quarters of the way through the MAEAP verification process. He expressed his concerns and frustration with the paperwork and requirements.

Commissioner Byrum stated that crops from Lansing north are not looking good. Sugar beets are losing tonnage, dry bean yields are poor; the predicted rain will help the wheat. Harvest of soybeans has started. He reported that there are numerous ownership and management changes occurring among agri-business. Commissioner Byrum participated in a meeting with the Minister of Agriculture, Ontario on August 12. Commissioner Byrum stated that he agreed that the Comprehensive Nutrient Management Plan is frustrating, with a shortage of plan writers and existing writers perhaps having to become re-certified. He reported that fertilizer costs are rising, natural gas prices are high, causing nitrogen price increases. Three nitrogen producers have shut down and nitrogen will need to be imported.

Commissioner Maitland stated that Northern Michigan crops are average. Apples are of good size, peaches were of good size also. Commissioner Maitland attended the UP State Fair and had a good experience, as always. He also attended the Northwest Research Station open house. There was a legislative meeting held in conjunction with local legislators (Senator McManus, Senator Allen and Representative Walker).

Chair Viau reported that the corn crop in the Upper Peninsula is in serious trouble due to lack of rain. The hay crop is about 50% of normal, and with the dry weather, hay is being fed earlier in the season. She felt the Governor's Luncheon at the UP State Fair was very well attended. She also attended the Alger County Fair.

DIRECTOR'S REPORT: Director Dan Wyant

◄ MDEQ is filing a civil law suit against Vrebra-Hoff Dairy's two sites in Lenewee County. These two sites collectively house 6,000 head of cattle and generate 120,000 gallon of manure per day. State administrative rules require facilities with over 5,000 head of cattle to have groundwater discharge permits. Vrebra-Hoff does not currently have the required permits and DEQ contends that agricultural waste from the operations pose a potential threat to groundwater quality should this waste disposal continue without appropriate controls. The MDEQ is requesting that the court require Vrebra-Hoff to evaluate the design and management of its agricultural operations and make the necessary changes, including a potential reduction in livestock, to eliminate illegal discharges to waters of the state.

◄ The UP State Fair operated for the first time without general fund support; attendance was up 5% from last year, the grandstand shows were a loss.

◄ Michigan State Fair experienced a very difficult year, a power outage set the opening day

back one day, area people were out-of-town over the weekend due to the power outage, a boil water directive was issued in the city, and it rained the entire last day of the fair. The attendance was down significantly.

- ◀ Emerald Ash Borer – Director Wyant briefly gave an overview of the presentation that was given to Congressional delegation members in Washington, D.C. on September 8, 2003.
- ◀ Cervid Fencing – The Department works with MDNR to cooperatively make decisions on registration issues. The first registration denial was made this month in Marquette County, due to MDNR determination that the fence would cause unreasonable or adverse effect upon the environment and upon wildlife. The fence would have created three miles of continuous fencing in the Upper Peninsula and come within 400 feet of a river. There was concern that the proposed fence would place unreasonable stress on migration corridors and movement of deer.
- ◀ Michigan Land Use Leadership Council Report was distributed to the Commissioners.
- ◀ Director Wyant met with Representative Julian regarding agri-science educators. The Michigan Association of Agriscience Educators is asking for a \$2.1 million appropriation to supplement agri-science education at MSU.
- ◀ All Employee Meeting is scheduled for November 25, 2003 at the Kellogg Center. Agenda and time frame are being developed. Governor Granholm is pursuing a visions and values roll out to all state employees that will be presented at the meeting.
- ◀ MSU has submitted an application to obtain funding for an Ag Innovation Center.
- ◀ Comprehensive Nutrient Management Plan – Jan Wilford, MAEAP Manager reported on CNMP plan providers. There are not enough plan providers in Michigan; there are currently 11 Natural Resource Conservation Service writers, five private consultants and 18 people are currently in the process of becoming certified. The target of 85% of CNMP's completed by 2005 is on target and achievable.

LEGISLATIVE REPORT: Brad Deacon, Legislative Liaison

Mr. Deacon reported that the five fee bills (SBs 360, 361, 386, 390, 480) were signed by the Governor. The two water withdrawal and reporting bills (SB 289 and HB 4087) were also signed by the Governor. The Department is working with MDEQ on the implementation of the water bills. There have been five drain code meetings over the course of the summer. The House Ag and Resource Management Committee wants to report this bill out of committee and move it through the Senate by the end of the year. The Department will be before the Senate Technology and Energy Committee regarding the power outage; and before the House Ag and

Resource Management Committee regarding Emerald Ash Borer in September.

The Governor's Legislative Affairs Office has asked for the Department's top three legislative issues for this year. The Grain Insurance Fund (HB 4311) passed the House and is in the Senate currently as one priority. The other priorities, to be introduced, are the Feeding Ban (the authority to regulate feeding of deer and elk will expire at the end of 2004), and general amendments to the Fertilizer Act (phosphorous issue and local ordinances).

APPROVAL FOR ARMADA AG FAIR TRACTOR PULL DATES: Barb Hensinger, Director, Fairs, Exhibitions and Racing

Ms. Hensinger asked the Commissions approval to allow the Armada Ag Fair to hold their tractor pull and pay premiums outside of the fair-week dates. This is due to the power outage and being unable to hold the tractor pull during the fair. They are requesting to hold the tractor pull during their Apple Fest, October 12, 2003.

MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE ARMADA AG FAIR HOLDING TRACTOR PULL ON OCTOBER 12, 2003 AND AUTHORIZING PAYMENT OF PREMIUMS FOR THAT EVENT. SECONDED. MOTION CARRIED.

GRAPE AND WINE COUNCIL STRATEGIC PLAN UPDATE: Kathy Kissman, Director, Marketing and Communications Division and Linda Jones, Grape and Wine Program Manager

Ms. Kissman thanked the Commissioners for their response to the survey on the Grape and Wine Strategic Planning.

Ms. Jones gave a brief overview of the Michigan Grape and Wine Industry Council strategic planning activity and distributed a draft Michigan Grape and Wine Industry Council Annual Report for Fiscal Year 2003. She reported that there are now 40 wineries in Michigan, compared to 17 in 1995.

STATE FFA OFFICERS: Jeff Hawes, Michigan FFA Projects Director; Ryan Peterson, State President; Mike Sheridan, State Treasurer; Brian Posthumus, Region V Vice President

State President, Mike Sheridan congratulated Commissioner Darling on being awarded the Honorary American FFA degree for 2003. This is the highest honor the organization can bestow upon a non-member of the organization.

The State FFA Officers thanked the Commission for the support they give to the Michigan FFA Association. They distributed the September/October 2003 copy of "The Michigan FFA

Creed” and gave a report on activities taking place.

POWER OUTAGE REPORT: Jerry Wojtala, Deputy Division Director, Food and Dairy Division

Mr. Wojtala reported on the Department’s actions during the power outage of August 18, 2003. The primary goal of the MDA response to the power outage was to assure the safety of food on store shelves, in restaurants, at processing plants and in consumers’ refrigerators. Inspectors from different divisions throughout the state were brought in over the weekend to assist.

After assessing the response to the power outage a number of internal procedures to strengthen emergency response will be implemented.

RECESS:

The meeting recessed at 12:00 p.m.

RECONVENE:

The meeting reconvened at 1:20 p.m.

AGRICULTURE LAND PRESERVATION TOOLS IN MICHIGAN: Rich Harlow, Farmland Preservation Program Manager, Environmental Stewardship Division

Mr. Harlow gave a preview of the video titled “Agricultural Land Preservation Tools in Michigan”. MDA and Michigan Farmland and Community Alliance, an affiliate of Michigan Farm Bureau, developed this video jointly. The video is part of a larger project to provide education and information necessary to conduct and support local farmland preservation initiatives. The video is available, at no cost, to county Farm Bureau, MSU Extension offices, municipalities and other interested land use stakeholders in Michigan.

IRRIGATION WATER USE GAAMP: Mike Gregg, Resource Conservation Section Manager, Environmental Stewardship Division and Dr. David Lusch, Co-Chair GAAMPS Committee

Commissioner Darling questioned some of the language in the introduction, specifically in the first bullet stating, “over irrigation during the growing season occurs, with certain exceptions, when water applications exceed the quantity needed to replace the soil/substrate moisture deficit.” He felt that it should be “over irrigation during the growing season may occur when water”.

Under “Leaching”, number 19, F some language was missing.

The Commission asked that the "Leaching" language be developed and the introduction language revised, and be brought back to the Commission in November for final approval.

PUBLIC COMMENT

Amy Frankmann, Michigan Nursery and Landscape Association (MNLA): Ms. Frankmann commented that MNLA has been involved in language development for the Irrigation Water Use GAAMP and that the industry supports the GAAMP.

LABORATORY DIVISION SERVICE FEES ADJUSTMENT REQUEST: Steve Reh, Director, Laboratory Division; Steve McGuire, Director of Operations, Geagley Lab and Mike Pinagel, Director, Consumer Protection Section

Mr. Reh stated that the laboratory service fees had not been adjusted since 1998. The fee increases reflect increases in costs and are based on actual FY'03 expenditures and FY'04 workload projections. Commission discussion took place on the need for increased fees. Director Wyant stated that the Department's baseline budget is based on the projected fee increase revenue.

Mr. Pinagel reviewed the Weights and Measures/Metrology fee schedule for various services. Mr. McGuire reviewed the Analytical Service Testing fee schedule for testing of animal disease, equine drug splits, livestock show animal drug and seed testing.

MOTION: COMMISSIONER BYRUM MOVED TO APPROVE THE INCREASED FEES FOR WEIGHTS AND MEASURES/METROLOGY AND ANALYTICAL SERVICE TESTING FEES. SECONDED. MOTION CARRIED UNANIMOUSLY.

FRUIT AND VEGETABLE AND DRY BEAN INSPECTION ACTIVITIES FEE ADJUSTMENT REQUEST: Ken Rauscher, Director, Pesticide and Plant Pest Management Division

Mr. Rauscher asked the Commission to approve fees for Fruit and Vegetable and the Dry Bean inspection fees for FY'04. The increase will cover the cost of inspection. The fee increase was discussed with the Fruit and Vegetable Advisory Committee in June, with support received. Discussion took place on the Department's baseline budget being based on the projected fee increase revenue.

MOTION: COMMISSIONER BYRUM MOVED TO APPROVE THE REQUESTED FEE INCREASES FOR FRUIT AND VEGETABLE AND THE DRY BEAN INSPECTIONS. SUPPORT. MOTION CARRIED UNANIMOUSLY.

ANIMAL HEALTH UPDATE: Dr. Joan Arnoldi, State Veterinarian, MDA

- The federal quarantine on Newcastle Disease has been lifted.
- One case of equine encephalitis has been reported with one additional suspect case.
- No reported equine or human West Nile Virus cases reported this year.
- No new cases of TB have been reported.
- Dr. Beth Williams, University of Colorado spoke at the Chronic Wasting Disease Taskforce earlier in the week. She is a nationally recognized researcher on CWD.

EMERALD ASH BORER UPDATE: Ken Rauscher, Director, Pesticide and Plant Pest Management Division

Mr. Rauscher gave an update on Emerald Ash Borer (EAB), briefly detailing the information that was shared with Congressional delegation members on September 8 in Washington, D.C. He also reported on the EAB response project, eradication strategy, projected budget for FY'04, the quarantine, the survey program, and reviewed an organizational chart showing the cooperative efforts of MDA, MDNR, MSU, and USDA staff.

PUBLIC COMMENT

Tonia Koppenaar, Michigan Farm Bureau – Ms. Koppenaar reported that MFB testified before the CWD Taskforce. She stated that MFB prefers to have one agency overseeing the privately owned cervidae industry. MFB appreciates the relationship that the industry has with the Department and sees no reason to separate registration, regulatory and enforcement actions into different agencies.

MFB also has a concern with the Michigan State Fair deficit and does not want to see funds taken from other programs within the Department to make up the deficit.

The Ag Enhancement Package is seen as an opportunity for the horse racing industry, and also an opportunity for additional revenues for agriculture. MFB is very supportive of this legislation.

The MFB Policy Development is on going and the state policy development committee will meet in early October.

ADJOURNMENT

MOTION: COMMISSIONER BYRUM MOVED TO ADJOURN THE MEETING. SECONDED. MOTION CARRIED UNANIMOUSLY.

Meeting was adjourned at 3:30 p.m.

ATTACHMENTS

- A - Agenda*
- B - July 22, 2003 minutes*
- C - Director's Report - September 2003*
- D - Legislative Report - September 2003*
- E - Armada Fair Tractor Pull*
- F - Grape & Wine Council Strategic Plan*
- G - Michigan FFA Creed*
- H - Power Outage Report*
- I - Irrigation Water Use GAAMP*
- J - Lab Service Fees*
- K - Fruit & Vegetable and Dry Bean Fees*
- L - Emerald Ash Borer Response Project*