

MICHIGAN COMMISSION OF AGRICULTURE
Lansing Center
Room 201
333 East Michigan
Lansing, Michigan

MEETING MINUTES
SEPTEMBER 11, 2007

PRESENT:

James Byrum, Chairperson
Dale Norton, Vice Chairperson
Ann Jousma-Miller, Secretary (via teleconference)
Don Coe, Commission of Agriculture
Todd Regis, Commission of Agriculture
Don Koivisto, Director, Michigan Department of Agriculture

CALL TO ORDER AND ROLL CALL

Chairperson Byrum called the meeting of the Commission of Agriculture to order at 10:00 a.m. on Tuesday, September 11, 2007. Commissioner Jousma-Miller called the roll with Commissioners Byrum, Norton, Coe, Regis, Jousma-Miller and Director Koivisto present.

APPROVAL OF AGENDA

MOTION: COMMISSIONER COE MOVED TO APPROVE THE SEPTEMBER 11, 2007 AGENDA AS PRESENTED. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED.

Chairperson Byrum requested a moment of silence in remembrance of the events of September 11, 2001.

APPROVAL OF JULY 17, 2007 AND AUGUST 13, 2007 MEETING MINUTES

MOTION: COMMISSIONER REGIS MOVED TO APPROVE THE JULY 17, 2007 AND AUGUST 13, 2007 MEETING MINUTES. SECONDED BY COMMISSIONER COE. MOTION CARRIED.

NEXT SCHEDULED MEETING

The next scheduled meeting will be held November 7, 2007 at Constitution Hall in Lansing.

COMMISSIONERS' TRAVEL

August 29, 2007, Governor's Luncheon, Michigan State Fair, Detroit, Michigan – Commissioner Norton

August 17, 2007, Governor's Luncheon, Upper Peninsula State Fair, Escanaba, Michigan – Commissioner Regis

MOTION: COMMISSIONER COE MOVED TO APPROVE COMMISSIONERS' TRAVEL. SECONDED BY COMMISSIONER REGIS. MOTION CARRIED.

COMMISSION COMMENTS:

Commissioner Jousma-Miller gave a brief summary of the activities at the Upper Peninsula (UP) State Fair. Fair gate was up by over 2,000 from 95,700 and there were 375 registered for the Governor's Luncheon. The food was prepared by local restaurants and the organizational structure was done by the Chamber of Commerce. "Balloons on the Bay" was a tremendous success bringing in \$8,000 to the State Fairgrounds. Also, the Lakes States Logging Congress was just completed and the Fairgrounds will recognize a benefit from that as well.

A Memorandum of Understanding was entered into by Chemrec AB/NewPage to evaluate if the Chemrec technology would be compatible to the NewPage paper mill in Escanaba.

The plant would employ Chemrec's black liquor gasification (BLG) technology which converts waste from the paper pulping process into synthesis gas. The syn gas can then be processed into a variety of biofuels. It is estimated the technology could enable the Escanaba mill to produce up to 13 million gallons of liquid biofuel per year.

The feasibility study is underway and the results thus far have been positive.

The Farm Bureau hosted a "Breakfast of the Farm" in Menominee County with a tremendous turn out.

It is very cool and a bit rainy in the UP.

Commissioner Coe noted that on August 14, 2007 he hosted Michigan State University (MSU) and the Department of Agriculture and Natural Resources at his facility and had an opportunity to introduce Director Koivisto (in his absence) to the MSU audience attending.

On August 23, 2007 he participated in the Northwest Michigan Horticulture Research Station Open House and annual meeting and again introduced Director Koivisto. He noted that the response was very supportive and appreciative of the decision of the Commission to select Mr. Koivisto.

On August 27, 2007 he spent some time with Chris Adamo, aide to Senator Debbie Stabenow. He visited Black Star Farms as part of a visit to Leelanau County farms and they spent time talking about the Farm Bill and the important issue of agriculture jobs.

There has been a temporary stay on the President's and Homeland Security's proposal about the verification of social security cards.

He noted that he attended a meeting of the Northwest Michigan Land Policy and Transportation Council. It's a two-year, federally funded effort with direct support of Senator Levin. The Council was set up to look at land policy and transportation issues in the northwest, lower Michigan (five-county area). What is important to Commissioner Coe is that they are attempting to establish corridors of significance for transportation and he thinks that it is important given the amount of agriculture and the amount of processing plant that we have, that they identify corridors of significance to include agricultural corridors of significance.

Commissioner Norton noted that on August 21, 2007 he attended a Nutrient Management Field Day at Bloom Dairy Farm, sponsored by the Soil Conservation District and Natural Resources Conservation Services (NRCS). The purpose was to look at their dairy facility and how they comply with requirements related to nutrient management.

On August 30, 2007, Commissioner Norton attended a crop insurance meeting sponsored by the Farm Service Agency (FSA), Farm Credit and JBS United. They encouraged those who think they might have a loss to begin the filing process for crop insurance. JBS United announced a program where they are willing to allow a farmer to get out of their contract if they are unable to fulfill the contract for a very low amount.

After a really dry summer, they had over 10 inches of rain in August. They had over 20 inches of rain and hail on some of their tomatoes. They were unable to harvest about 25 acres of tomatoes. About half of their seed corn was picked the end of August, a very short season corn that did not yield well.

Third cutting of hay was better, looks like some will get a fourth cutting.

Commissioner Byrum noted and thanked Commissioner Norton for being a buyer at the Youth Livestock Auction at the Michigan State Fair.

Commissioner Regis noted that he attended and enjoyed that Michigan Wine & Spirits Competition Reception on August 9, 2007. There is an abundance of quality product in the state and we should be very proud of that.

On August 15, he joined Senator Levin at an agriculture breakfast and heard about many issues affecting agriculture.

On August 17, Commissioner Regis traveled to the UP State Fair for the first time. He noted that the facility and exhibits were very appropriate and he was impressed. Staff and others involved should be very proud. He also attended the Governor's luncheons at both fairs. He experienced the Youth Livestock Auction for the first time and enjoyed that with his children. Also in the last month, with his daughters' encouragement, he has been visiting as many county fairs as possible.

Commissioner Byrum welcomed Director Koivisto to the Department.

He noted the arrival of Griffin Henry Eichler-Clark on September 3, 2007. Mother Liesl Eichler-Clark (MDA Legislative Liaison) and family are doing well.

He thanked former acting director Phyllis Mellon for her work during the interim between Director Irwin and Director Koivisto.

He commented that the big news in Michigan is drought. Corn yield will be bad and there is already corn being imported into the state to fill ethanol demand. Soybean yields will be better potentially than originally projected, but not spectacular. Dry beans are coming in below average.

Commissioner Byrum briefly discussed a legislative Concentrated Animal Feeding Operation (CAFO) workgroup that he is involved with.

He noted that Monsanto is considering a \$40 million investment for the expansion of their seed operation in Constantine, Michigan. They like Michigan because of the sand and irrigation and they do not have pollen drift because of the lakes.

There will be a groundbreaking at a new ethanol plant in Watervliet on September 14, 2007. This is a 50 million gallon plant.

He briefly discussed the Bio Economy Summit being held September 12-13, 2007 at the Lansing Center.

He thanked Jeff Haarer for the success of the Youth Livestock Auction this year at the Michigan State Fair. There were records set for both the Michigan wine baskets.

DIRECTOR'S REPORT

Director Koivisto thanked everyone for the opportunity to work as the director of MDA. He noted he is very excited about the work ahead.

Prior to his official start date, he attended his first Cabinet meeting and found it interesting and exciting. He attended the UP State Fair, the Michigan State Fair, participated in a series of media interviews, attended the Michigan Council of State Legislators meeting and talked with a number of Michigan legislators, as well as legislators from around the country.

He briefly reviewed the highlights of both fairs. There was good representation of Lansing staff and Commissioners at the UP State Fair. The gate revenue and carnival revenue were both up slightly. The estimated shortfall is less than what was originally estimated. There are some needed capital outlay improvements.

There was also good Commissioner attendance at the Michigan State Fair. There was an increase in the dollars raised through the livestock auction. Exhibitors were down from 3,525 in 2006 to 2,431. MDA's contribution is primarily in volunteer staff hours and future involvement needs to be evaluated.

"Meet and greets" have been occurring with division directors, leaders and budget people and will continue.

He feels he has gotten off to a good start with great support and knows there will be adversity ahead, but is enjoying the current positive environment.

He stated he looked forward to the Bio Economy Summit and learning how agriculture can be an active participant.

He noted he was looking forward to an upcoming farm visit in the Grand Rapids area.

Commissioner Coe commented that this might be a good time to have a meeting with MDA, and Agriculture Commission representative and MSF director to review operations and how MDA can assist and support and what MDA's future role should be.

A brief discussion ensued. Dr. Mellon noted that the Department of Management and Budget (DMB) is reviewing the statistics of the Michigan State Fair. Commissioner Coe is concerned about the "marketing of agriculture" at the fairs.

Commissioner Byrum suggested that Barb Hensinger and Jeff Haarer assist in the review. He noted that he was disappointed how the animals were handled at the Michigan State Fair, sheep and hogs, in particular, and also how agriculture

exhibits were handled. Other agriculture partners are also examining their future participation.

Commissioner Coe noted that if the MSF ceases to exist due to fiscal decision, MDA may want to begin thinking about how some of the activities of the State Fair that are purely agriculture-related, can be relocated.

Commissioner Norton supported the idea of reviewing MDA's role.

Commissioner Byrum suggested meeting with agriculture interests in the next next 60-90 days to review the current year's results, concerns and future plans.

Commissioner Coe is concerned that we will lose the oldest state fair in the nation. He believes it is incumbent upon MDA to be involved and try to have a plan in place to carry forward the good things the state fair represents.

Commissioner Jousma-Miller noted that prior to the UP State Fair, she participated in a conference call with the Governor's office, former Director Irwin, the Governor's UP staff and DMB, regarding what they are looking for in the future. Whatever will be decided about the MSF will have a direct impact on the UP State Fair. Everything was put on hold until they could evaluate this year's fairs and then make a decision. Commissioner Jousma-Miller's main concern is that with the partnerships with the local community in the UP and the relationships with the UP manager be preserved. It is a very different event than the one in Detroit. Because of that, there are concerns about what the final decisions that the Governor's office makes about the state fair in Detroit and how that affects the UP State Fair.

She has been in contact with the UP Governor's office and they will develop and have ready, a plan for that facility so that the impact will not be the same.

DIRECTOR'S TRAVEL

- No new out of state travel planned.

PUBLIC COMMENT

No public comment on agenda items.

REQUEST FOR RULEMAKING, MOTOR FUEL QUALITY PROGRAM: Celeste Bennett, Motor Fuels Quality Manager, Laboratory Division

Commissioner Byrum noted that John Griffin, Michigan Petroleum Association, has expressed support for the request before the Commission.

Ms. Bennett requested permission to open three regulations promulgated under the Motor Fuels Quality Act, 1984 PA 44. Regulation 561 Dispensing Facility

Reid Vapor Pressure covers the vapor pressure of gasoline in the ozone attainment areas; Regulation 562 Labeling of Retail Gasoline Dispensers; and Regulation 564 Automotive Gasoline Purity, Additives, and Grading.

The Motor Fuels Quality Act gives the Director the authority to promulgate rules for the enforcement of the Act.

In 2006, the Motor Fuels Quality Act was amended to reduce vapor pressure limits, and that was part of the state's implementation plan under the national ambient air quality rules. It updates definitions and clarified minor language changes. Other changes took place in previous years. In 2003 the Act was amended to remove the ethanol label and a few other minor changes.

Gasoline specifications that are established in the American Society of Testing and Materials (ASTM) standards are voted on an updated on a regular basis so those have changed since May of 2003.

The industry is in agreement with the Program's decision to update the regulations. They have expressed concern over the inconsistency between ASTM standards and the requirement of Regulation 564 especially as it deals with the volatility specifications for the very last part of September which is not considered part of the summer standards. The American Petroleum Institute has requested, on behalf of its members, that MDA open and update the gasoline and vapor pressure regulations. They have expressed a willingness to work together in this matter to ensure that we have viable, current standards for gasoline and that marketers are not restricted from offering gasoline that meets the national consensus standards for sale in Michigan.

The Motor Fuels Quality Program respectfully requested that the Commission consent to the request to open and update Regulations 561, 562, and 564.

MOTION: COMMISSIONER COE MOVED TO APPROVE THE REQUEST TO OPEN AND UPDATE REGULATIONS 561, 562 AND 564 UNDER THE MOTOR FUELS QUALITY ACT, 1984 PA 44. COMMISSIONER NORTON SECONDED.

In response to a question from Commissioner Norton, Ms. Bennett noted no opposition to the potential changes. A brief discussion ensued.

MOTION CARRIED.

MICHIGAN FOOD POLICY COUNCIL: Phyllis Mellon, PhD., Deputy Director, Michigan Department of Agriculture and Kirsten Simmons, Executive Coordinator, Michigan Food Policy Council

Dr. Mellon noted that the Michigan Food Policy Council was created by Executive Order in 2005 with a mission to cultivate a safe, healthy and available food supply for all of Michigan's residents while building on the state's agricultural diversity to enhance economic growth. The former Executive Coordinator, Kristin Brooks, left to take a counseling position at MSU and the steering committee of the Council met and did a national posting, went through a rigorous selection process. Dr. Mellon introduced Kirsten Simmons, the new Executive Coordinator of the Michigan Food Policy Council, and gave brief background information about Ms. Simmons.

Ms. Simmons noted that the Governor's office is working on a new Executive Order (EO) that will include the Council's accomplishments thus far and new goals moving forward. Currently, the Council is in an implementation phase. Once that EO is in place, meetings will be held again. She stated she looks forward to the meetings being a link between public health, agriculture and the economy. She briefly discussed a handout that contains a summary of the recommendations from the Food Policy Council.

She also discussed the Localvore Challenge. It is an event which encourages participants to pledge to eat only locally grown and produced foods for a week, a day or a meal. The purpose is to help people learn how to be a localvore year around and to give them resources to make it easier.

She also attended the Michigan State Fair, the Youth Livestock Auction and Miracle of Life exhibit.

She noted that her first few weeks on the job have seen her meeting with those who were very active in the recommendation process. She will continue that over the next couple of weeks.

She also plans to build on Kristin Brooks' work of identifying short, medium and long-term goals to get the recommendations implemented.

In response to a question from Commissioner Coe, Ms. Simmons noted that funding comes from a commitment from the Kellogg Foundation. Currently it is a three-year commitment for \$50,000 each. Ms. Simmons is an employee of the Food Bank Council, but is housed at MDA.

BUDGET UPDATE: Amy Epkey, Budget Officer, Michigan Department of Agriculture

Ms. Epkey gave the Commissioners an update of the Michigan Department of Agriculture budget for 2008-09. The budget has moved through the entire Senate and House. She noted differences between the Executive budget, the Senate version and the House version. Next step is conference committee.

In response to a question from Commissioner Byrum, Ms. Epkey shared where funding stands for the following in each version of the budget: Select Michigan, the Michigan Agriculture Statistics Service, and Conservation Districts.

LEGISLATIVE UPDATE: Nancy Nyquist, Acting Legislative Liaison

Ms. Nyquist spoke briefly about the following issues: the food law, HR 156, dairy law updates, sunset fee bills, Select Michigan Week and the Farmers' Market on the Capitol, composting workgroup, and the agriculture pesticide distribution bill. She noted a public hearing that will be held on September 21 to take comment on changes to Regulation 637 Pesticide Use.

The Governor has proclaimed September Food Safety Awareness Month.

FOOD BANK COUNCIL OF MICHIGAN, THE FOOD BANK NETWORK AND AGRICULTURE PARTNERSHIPS: Jane Marshall, Director, Michigan Food Bank Council and Kim Harkness, Program Manager, Michigan Agricultural Surplus System, Michigan Food Bank Council

Ms. Marshall briefly described the Food Bank Network and the Michigan Agricultural Surplus System (MASS) and shared a PowerPoint presentation. MASS is a line item in MDA's budget. The program is designed to connect food banks and emergency food distribution with Michigan growers. The goal is to link Michigan resources with Michigan people and try to boost the livelihood of people in need with the abundance of Michigan agriculture and try to have an economic and resource approach to optimizing that abundance.

The Food Bank Council of Michigan is a statewide distribution infrastructure. Members have the infrastructure to provide food to people in all 83 counties in Michigan through regional food banks and local emergency food providers. They secure food and grocery products from industry and farmers. The food bank network got started because of surplus of manufacturing goods.

There are approximately 2,700 local agencies where emergency food or supplementary food is given out at the local level. Approximately 65 million pounds of food were distributed through that network last year. About half the food distributed through the network is from Michigan. They are connected through a national network called Second Harvest to access the other food.

About one in ten people will need to use a food bank this year in Michigan. Most people are surprised about how prevalent hunger and food insecurity is in Michigan. About half the people served are children and the elderly and do not have a lot of control over their economic destiny. With the state of the economy in Michigan, more people are coming to the food bank.

Ms. Harkness spoke about the MASS program. She works with farmers throughout the state to obtain product and donations for the program. The MASS program funding helps to get the product picked, sorted, washed and bagged so that can be distributed to people. Donations may be a truckload or bushel load.

Currently the line item is \$630,000. That money all goes back to the farmers and only Michigan farmers qualify for this program. Over the years, the local food banks and others in the network have learned how to handle perishable goods so very little "value-added" processing is now done.

In response to a question from Commissioner Norton, Ms. Marshall stated that the member food banks and distribution points must comply with all the same standards as any commercial food business does.

In response to a question from Commissioner Coe, Ms. Marshall and Ms. Harkness discussed how the "price per pound" for donations is negotiated.

Based on the changes of the food processing industry in Michigan, the donations have changed. There are fewer processors in the state. They have to sometimes rely more on food drives and community projects. The cost of food is going up so it is a struggle to maintain the same quantity as need increases.

The Michigan Harvest Gathering is a state-wide food and fund raising campaign. They rely on donations for food and they do a lot of fund raising with corporations and foundations in the state. The Harvest Gathering project was started in 1991 with then MDA Director Bill Schuette. MDA has been the lead agency in state government for the state employees' campaign. The Food Bank Council also works with hospitals and growers. Approximately \$350,000 and a half million pounds of food are generally raised. This year's Harvest Gathering will be kicked off at the Farmers' Market at the Capitol to emphasize the tie to fresh and health local foods for everyone.

In response to a question from Commissioner Norton, Ms. Harkness explained the opportunity for hunters to donate wildlife through the Michigan Sportsmen Against Hunger. There are processors throughout the state who participate.

BOVINE TUBERCULOSIS ISSUES UPDATE: Dr. Steve Halstead, DVM, State Veterinarian and Director, Animal Industry Division and Dr. John Tilden, Project Manager, TB Eradication Review Response

Dr. Tilden noted that they are half way through addressing the 79 issues identified in the previous review and anticipating the next review that will begin in early November.

The remaining issues are difficult ones. From the beginning, the United States Department of Agriculture (USDA) said their intention was to help drive the TB Eradication Program to the next level, which we all knew would require additional resources.

Some issues have been addressed through procedural changes and through redeployment of MDA assets. He noted they have not yet been able to successfully address those issues that will need significant infusion of new resources. For example, information technology systems, hiring of new people, and legislative changes that would take law enforcement capabilities for MDA staff.

Many in the industry have asked when the clock will start ticking to get the movement of the AA Zone Free Status. USDA has made it clear that until all 79 issues are fully addressed, the clock will not start ticking and they have to be fully addressed for a full year. He noted that it is safe to say that the clock will not start ticking after the review in November as we do not have the resources to fully address many of the issues. This needs to be communicated and let people know we will continue to look everywhere we can for resources to develop the new IT systems and to hire to the people USDA says we need to. We have action plans in place for how we will do that.

Dr. Tilden is encouraged by the quality and level of commitment of the individuals working in the TB program. There are two races going on right now. The "sprint" to get as much as we can in place for the next review, but there is also the "marathon" where we cannot burn out good people and lose good folks. They are trying to find the right balance of maximizing and optimizing the resources that we currently have without asking good people to do what they cannot do.

Commissioner Coe commented that it is time to begin the education process both with the legislature and the public. Given the state of the budget and economy, nothing will happen unless there is a public demand. He would like to see USDA be involved.

Commissioner Byrum concurred. MDA needs to carry the message.

Director Koivisto noted that those conversations have begun.

In response to a question from Commissioner Coe, Dr. Tilden noted that the 79 issues raised in the review are written in such a way that USDA cannot be charged with issuing unfunded mandates. They are recommendations. However, if we want to maintain existing split state status, we had better do them.

MDA staff is reviewing and quantifying what it would take to fully comply with the 79 requirements. Information should be forthcoming shortly.

In response to a question from Commissioner Norton, Dr. Tilden noted there is one fixed check point at the Mackinaw Bridge and there has to be 100% stoppage. All livestock transportation must be stopped and checked. They also must have the capability to stop and detain someone who drives through and does not stop. We either must contract with a law enforcement agency to have that capability or must have a legislative change to have in-house capability. We also must have increased mobile surveillance or some other type of surveillance on the western and southern border of the Modified Accredited Zone.

Regarding the communications issue, Commissioner Coe noted that it is the sense of the Commission that we have reached a Bovine TB turning point, Bovine TB emergency or crisis. MDA has responded to federal requests, has reached a point where it cannot proceed further as there are some federal requirements that require additional resources.

Dr. Mellon noted that staff is preparing a request to the Congressional delegation for that additional funding so that perhaps the wording could help propel that. There will also be a request for state money.

Dr. Halstead noted that a large piece of the overall plan is a yearly communications plan that also requires additional resources to do that effectively.

Commissioner Byrum asked if the enhanced permit issuance process (one of the 79 points related to what to do with the deer that have the disease that are spreading it to cattle) is occurring as quickly as they should.

Bill Moritz, Michigan Department of Natural Resources, responded (from the audience) that they are continuing to issue permits as requested and are bringing forth changes for the regulation process for implementation in January. The proposal is the automatic issuance of permits to those producers and probably larger land owners.

Right now it just takes a call in to the biologist and following the current process. This information has been shared throughout the affected areas.

In response to a question from Commissioner Norton about movement certificates and premise identification numbers, Dr. Tilden noted that there have been procedures in place since March to help the producers get the premise identification numbers, sometimes after the fact. That is part of the follow up that staff has to do.

Commissioner Norton suggested putting information about the movement certificates up front in the question and answer materials that are being distributed.

A brief conversation ensued related to a comment from Commissioner Byrum regarding non-licensed feed dealers.

In response to a question from Commissioner Byrum about cooperation from the Michigan State Police (MSP) on monitoring issues, Dr. Halstead noted that we have a contract with MSP so they are being paid for a certain number of service hours. If you look at the number of stops involved for the time invested, the numbers are small. They are reviewing how improvements can be made. Dr. Tilden said MSP questions whether they have the authority to make a stop for an agricultural violation without an agricultural person in the car with them.

They have been very cooperative to work with in our contract, but he stated we need to take it to the next level and see if we can get them to enforce agricultural laws without us being there with them.

Commissioner Byrum noted his disappointment that MSP has not stepped up in this area and suggested there are other avenues to pursue to encourage their enhanced cooperation.

Dr. Halstead said they are also working with local law enforcement to help.

Commissioner Norton noted that USDA is also under pressure regarding foreign animal disease and some pressure is being pushed down on Michigan. Dr. Halstead agreed and said that USDA has been audited internally.

Dr. Tilden said that we do not have control over the conditions of the review in November, and we must be prepared that it might get worse before it gets better. However, what he has learned over the last few months is that many of the fundamentals in the TB program are sound. There are many things to be proud of and we need to keep building on that.

Commissioner Byrum, on behalf of the Commission, asked that the following consensus statement be included in the minutes:

The Michigan Commission of Agriculture recognizes that bovine TB Eradication is critically important to protect livestock, wildlife and human health in the state. The periodic transmission of bovine TB from wildlife must be prevented in order for Michigan agriculture to remain economically competitive in the global economy. The Commission pledges to pursue aggressive policies to:

1. better define the technical feasibility of preventing bovine TB transmission from wildlife hosts;
2. ensure close coordination of current eradication efforts in livestock (MDA and USDA Veterinary Services) and wildlife (Michigan Department of Natural Resources);
3. work collaboratively with USDA Wildlife Service and USDA Veterinary Services to identify and promote cost-effective on-farm wildlife risk mitigation measures; and
4. launch a coordinated informational campaign to re-energize support for bovine TB eradication measures and foster personal responsibility.

Significant additional resources must be committed to the effort, both by government and the private sector, if we are to achieve the goal of eradicating bovine TB from northern lower Michigan cattle.

A SYSTEMACTIC REVIEW OF MICHIGAN'S POLICY FOR CWD PREVENTION, DETECTION AND CONTROL: Steve Schmitt, DVM, Veterinarian-in-charge, Director, Wildlife Disease Laboratory, Michigan Department of Natural Resources (MDNR) Steve Halstead, DVM, State Veterinarian and Director, Animal Industry Division, Michigan Department of Agriculture; Craig Stephen, DVM, PhD, Director, Centre for Coastal Health; and Julie Ducrocq, DVM, Centre for Coastal Health

Dr. Halstead introduced Dr. Steve Schmitt from MDNR. He gave a brief background on the disease and reason for the presentation. By 2003, there was increase concern in Michigan about Chronic Wasting Disease (CWD) to a level where Governor Granholm appointed a CWD Task Force to look into the disease as it relates to Michigan. One of the recommendations from the task force was to do a science-based risk assessment of the disease as it relates to Michigan. MDA and MDNR contract with the Centre for Coastal Health in British Columbia to do the risk assessment. He introduced Dr. Julie Ducrocq and she reviewed an executive summary that had been previously provided to the Commissioners.

Dr. Ducrocq noted that the Centre for Coastal Health is an independent, non-profit, environmental health practice. They are comprised of veterinarians and epidemiologists working in affiliation with the University of Calgary. They are also recognized as the Pacific Regional Center for the Canadian Cooperative Wildlife Health Centre.

They were contracted to perform a systematic review of Michigan's policies for CWD prevention, detection and control. They did not create any new data, they used data that was available through interview, scientific literature and meetings with all the stakeholders.

CWD is a fatal, transmittable spongiform encephalopathy that is detected in captive and wild cervide. There is no treatment or vaccine available. Transmission is direct and indirect. The disease has a cost to the industry, society and conservation issues.

Dr. Ducrocq reviewed the study and recommendations and answered questions from the Commissioners.

Overall, Michigan's CWD preparedness policies and plans are consistent with current opinion and standards of practice see throughout North America. She noted that Michigan is addressing key determinates of risk, but new science and adaptive management are needed. Michigan is still at risk because CWD is on the border. Avoiding exposure, avoiding the introduction of the disease is the primary tool for CWD management.

She noted that Michigan has taken steps to increase its likelihood of finding early cases of the disease by combining both surveillance that targets suspicious cases and a variety of other methods to survey the broader population.

Dr. Schmitt also answered questions from the Commissioners.

The final report will be made available to the Commissioners as soon as it has the peer review is completed.

FEASIBILITY OF FARM MARKET GAAMPS: Gordon Wenk, Director, Environmental Stewardship Division and Jeanne Lipe, Ag Tourism/Commodity Coordination, Agriculture Development Division

In response to a question raised at the last Commission meeting, regarding using the Right to Farm Act as a way to deal with zoning issues in support of agriculture marketing enterprise, Mr. Wenk and Ms. Lipe reviewed the possibility of the development of an "ag tourism" or "farm marketing" Generally Accepted Agriculture Management Practices (GAAMPs) under the Right to Farm (RTF) Act. The thought was that it might provide some assistance to farm markets and

their ability to market within some zoning restrictions and those types of issues since there is a preemption portion within the RTF Act.

After reviewing the RTF Act, its preemption language, and court cases from the past dealing with GAAMPs and Right to Farm, Mr. Wenk did not recommend moving forward with a "agriculture tourism" or "farm marketing" GAAMP. The concern is that the language in Right to Farm regarding marketing produce is narrow in scope and it is a very tenuous connection on which to build all of what may want to take place within an agriculture tourism enterprise. RTF is already being challenged and over used and there is concern that continuing to build more into the act would generate greater interest in reducing the authority of the RTF. Wenk noted that they will be asking the attorney general's office for guidance on this issue to get more direction.

Once that is received, they can come back before the Commission with a more complete recommendation. He is hesitant to spend a lot of time developing GAAMPs without a solid statutory foundation.

The RTF Act does mention that a farm operation would include marketing produce at road side stands or farm market. That is really the only mention of marketing. The RTF Act was set up around production and harvesting of agricultural products and it is primarily to address nuisance concerns.

He also noted the Food Policy Council has looked at this issue and recommended ag tourism legislation, which may be the best course of action in the long run. Staff will continue to work of the prospect of development of ideas for legislation around a right to market concept.

Commissioner Coe said he is willing to wait for the attorney general's comments. He fails to see the logic in the RTF Act not including marketing and retailing as part of the farm process.

Commissioner Byrum noted that RTF did not address processing. That came under a separate statute. There was a brief discussion about developing separate legislation.

COMMISSIONERS' ISSUES

Commissioner Norton noted an overwhelming mosquito problem in his area due to all the rain. He recalled a time once before when they had to discount the price of hogs due to mosquito bites.

Commissioner Regis asked that thank you letters be sent with Chairman Byrum's signature on behalf of Commissioners Byrum, Regis and Norton, to the purchasers of the record setters at the auction at the Michigan State Fair.

At the last meeting, Mr. Richard Kozinski of the Michigan Cider Makers Guild approached the Commission to considering supporting HB 4704 to make apple cider the state beverage. The Commission had committed to a discussion at the September meeting. He noted that he did not realize that we did not have a state beverage. While it is an important issue, Michigan produces many beverages and it would be difficult to select a single product.

There was a brief discussion about how other state symbols have been selected. They are selected through legislative action.

Commissioner Byrum noted the Commission always supports enhanced recognition of critical Michigan products and cider is one of those. The Commission would welcome anything that the legislature determines.

MOTION: COMMISSIONER COE MOVED TO SUPPORT THE ENHANCED RECOGNITION OF CRITICAL MICHIGAN PRODUCTS, INCLUDING APPLE CIDER. COMMISSIONER REGIS SUPPORTED. MOTION CARRIED.

Commissioner Byrum noted a retirement resolution for Steve Martin from the Pesticide and Plant Pest Management Division.

MOTION: COMMISSIONER NORTON MOVED THAT THE RETIREMENT RESOLUTION FOR STEVE MARTIN BE ADOPTED WITH BEST WISHES. COMMISSIONER REGIS SECONDED. MOTION CARRIED.

Commissioner Byrum noted an issue from the previous meeting pertaining to the Drain Commission responsibilities. Those responsibilities are in statute and are very clear. The challenges that need to be addressed prior to the end of the fiscal year primarily drive what we can and cannot do. It would be difficult for MDA to do much absent funding. There was a resolution pending, but because of the unresolved budget issues, there will be no action on the resolution.

PUBLIC COMMENT

Alex Draper, Deer & Elk Farmers Association, noted the presentation by Dr. Ducrocq and that he looked forward to seeing the full report.

The state of the industry is very good. He has been to sales in Indiana, Ohio and Pennsylvania. The deer industry is thriving. In Pennsylvania, a bred doe, several genetics deep sold for \$170,000. In January, they sold a two-year old breed buck with genetics for \$205,000. It's just like the cattle industry.

He is not saying that the borders should be completely opened up, but believes there are opportunities for breeders to get some of these animals into the state.

They have gone through legislatively to try and get money. The industry has increased their fees. Hopefully the new guidelines will make the producers more aware.

He asked for consideration for the 6-year status. There a lot of producers in other states have that status. Producers have breeding stock that are bought and paid for that are sitting there and they are paying feed prices for and he would like to see that increased.

So far there is no restriction on semen across the nation.

MDA has a protocol set up that is more stringent that what USDA came out with on the UMNR.

He noted that the deer industry is supportive of mandatory identification.

He distributed copies of an Economic Impact of Pennsylvania's Deer Farms.

Tonia Ritter, Michigan Farm Bureau (MFB), welcomed Director Koivisto and stated that she looks forward to working with him. She spoke briefly about the budget and their concern about funding for not only MDA, but funding for MSU Extension and research. They have convened the commodity organizations throughout the state to discuss the potential cuts and impact to the industry, trying to develop a consensus or feedback direction from the industry in general. She noted that we have arrived to a point where everything being considered to cut is critical from the viewpoint those in agriculture. They have tried to bring folks together, provide consensus and generate interest in pushing their agenda forward despite what is going on in the overall budget. They will continue to be involved with the conference committee as things move forward. MDA's budget is very important to MFB and the infrastructure and support it provides to the industry. MFB appreciates MDA's assistance and help in participating if the different discussions with commodity organizations so that they can be helpful in advocating for those things that MFB considers critical.

Ernie Birchmeier, Michigan Farm Bureau, noted that MFB has been heavily involved in the TB eradication efforts from the beginning. When the review results came out earlier this year, it heightened the awareness of the issue and the critical need to move forward in terms of some resolution.

He complimented Dr. Tilden and his leadership since the review came out. His appointment made it possible for Dr. Halstead to address other issues and work toward a solution.

The work and cooperation toward resolving the 79 issues in the review, has been good, but it has been critical that they have been met in a timely manner.

There are four issues that will be critical and has been discussed a great deal recently at industry meetings. The bridge issue (tracking and control of the traffic) to make sure livestock are inspected will only help open markets, especially into Wisconsin.

It is critical that we develop a full time 24/7 real time, on-line movement certificate issuance program. It is imperative to producers to have that available to them if we are going to move livestock the way it is moved around the country. Livestock is not moved only Monday through Friday between the hours of 9 and 5.

It will take a great deal of work to deal with wildlife risk mitigation plans for producers in the modified accredited zone along with herd reconciliation for producers in the modified accredited zone. That will not be done without appropriate staffing and resources. We all understand the constraints the state is operating under, but these issues will not be addressed single-handedly, and it will take a cooperative approach and additional resources to make sure they are resolved.

It is critical that as we work toward solutions of these major issues, there is a common sense approach toward developing and implementing those and that we realize that not one solution works for everyone. While there are some similarities, each farm is operated differently. Communication will be critical not only on behalf of the departments, but on behalf of the industry, so that we all moving forward with the same comments, the same plan and ultimately the same solution.

Commissioner Coe noted that most of Mr. Birchmeier's comments parallel those of MDA staff. He noted that it is difficult to allow for flexibility when writing regulations, but he appreciated the point. He noted the MFB can be a big help with communication both to the industry and the need to the legislature.

Mr. Birchmeier commented that they were involved with the re-write of the Memorandum of Understanding (MOU) and that was done in a timely manner. There was some flexibility built into the MOU toward meeting the intended outcomes.

Ms. Ritter noted that MFB is in the process of policy development. The county annual meetings are about one third finished. She will provide a list of county meetings and invited the Commissioners to attend any of them if they wished. She would be happy to facilitate their attendance.

ADJOURN

MOTION: COMMISSIONER REGIS MOVED TO ADJOURN THE MEETING. COMMISSIONER COE SECONDED. MOTION CARRIED.

The meeting was adjourned at 12:37 p.m..

Attachments:

- A – Agenda*
- B – Agriculture Commission Meeting Minutes July 17, 2007*
- C – Agriculture Commission Meeting Minutes August 13, 2007*
- D – August Director’s Report; memo from Barbara Hensinger to Don Koivisto dated September 6, 2007, State Fair Report – UPSF and MSF; email from Jeff Haarer to Phyllis Mellon dated August 30, 2007 regarding Summary of 2007 Michigan State Fair Youth Livestock Auction*
- E – Memo from Motor Fuels Quality, Laboratory Division, Request for Rule Changes for Regulation 561, 562 and 564*
- F – PowerPoint – Michigan Agricultural Surplus System; Food Bank Council of Michigan booklet; Food Bank Council Michigan, How to Feed Your Bottom Line and Your Community; and Michigan Sportsmen Against Hunger brochure and handouts*
- G – Michigan Food Policy Council – Summary of Recommendations*
- H – Legislative Status September 2007*
- I – Centre for Coastal Health Final Report – A Systematic Review of Michigan’s Policies for CWD Prevention, Detection and Control, Executive Summary*
- J – Commissioner Issues – Retirement Resolution for Steven M. Martin*
- K – The Economic Impact of Pennsylvania’s Deer Farms, presented by Alex Draper during Public Comment*