

**MICHIGAN COMMISSION OF AGRICULTURE  
Geagley Laboratory  
Gordon Guyer Room  
1615 S. Harrison Rd.  
East Lansing, Michigan 48823**

**MEETING MINUTES  
APRIL 13, 2005**

**PRESENT:**

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

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

Michigan Department of Agriculture Staff  
E.J. Brown, Michigan Association of Fairs & Exhibitions  
Peter Butchko, State Director, USDA, APHIS, Wildlife Services  
George Harris, Eaton Rapids, MI  
Bridget Patrick, Michigan Department of Community Health  
Tonia Ritter, Michigan Farm Bureau  
Debra Spike, USDA Farm Service Agency  
Rick Sprague, Cervid Farmers of Michigan  
Bruce Weir, USDA Farm Service Agency  
Sheri Witte, Cervid Farmers of Michigan  
Robert Williams, Stewart Farm Ecology Center

**CALL TO ORDER AND ROLL CALL**

Chair Byrum called the meeting of the Commission of Agriculture to order at 9:00 a.m. on Wednesday, April 13, 2005. Secretary Jousma-Miller called the roll with Director Wyant, Commissioners Byrum, Darling, Norton, and Maitland present.

**APPROVAL OF AGENDA:**

**MOTION: COMMISSIONER DARLING MOVED  
APPROVAL OF THE APRIL 13, 2005 AGENDA  
AS PRESENTED. SECONDED BY COMMISSIONER  
MAITLAND. MOTION CARRIED UNANIMOUSLY.**

## **APPROVAL OF FEBRUARY 10, 2005 AND MARCH 10, 2005 MEETING MINUTES**

**MOTION: COMMISSIONER JOUSMA-MILLER MOVED APPROVAL OF THE FEBRUARY 10, 2005 AND THE MARCH 10, 2005 MEETING MINUTES. SECONDED BY COMMISSIONER MAITLAND. MOTION CARRIED UNANIMOUSLY.**

## **NEXT MEETING**

The next meeting of the Commission of Agriculture is scheduled for June 16, 2005, in Lansing.

## **USDA RECOGNITION OF MDA'S CONTRIBUTION TO RABIES WORKING GROUP: Pete Butchko, USDA, Wildlife Services**

Pete Butchko presented a Certificate of Appreciation to the Michigan Department of Agriculture, Rabies Working Group for their contribution in developing a contingency action plan to prevent the spread of rabies in terrestrial wildlife.

## **APPROVAL OF COMMISSIONERS' TRAVEL**

Commissioner Jousma-Miller attended a Discussion Meet for Young Farmers, Soil Conservation District Annual Meetings, and the Natural Resource Commission in Marquette. Commissioner Darling attended an Ag Leadership Program in Detroit. Commissioner Maitland attended a meeting with Dean Armstrong, MSU and ag leaders.

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

## **COMMISSIONERS' COMMENTS**

**Commissioner Darling** reported that nationally 20% of corn has been planted. The Bio-diesel bus tour, sponsored by Michigan Farm Bureau received press attention and created some interest in his area.

**Commissioner Jousma-Miller** commented that there is still some snow in the ditches in the Upper Peninsula. A lot of spring meetings are taking place. She met MDA's new milk inspector for the UP and had a good discussion with him. She attended the Michigan Natural Resource Commission meeting in Marquette for a wildlife update. Wolf numbers are over the 400 mark and Michigan Department of Natural Resources is requesting that the US Fish and Wildlife Service remove gray wolves from the Federal list of endangered and threatened species. Commissioner

Jousma-Miller reported that 185 producers are awaiting livestock identification tagging. It appears there is some difficulty in the actual insertion of the tag into the ear. She requested that the Animal Industry Division provide some literature/training on insertion of the tags.

**Commissioner Norton** reported that he attended the Animal Ag Alliance Meeting in Washington in March as a member of the Swine Welfare Committee. The focus of the meeting was to look at the Welfare program that currently is in place. He visited Representatives Upton, Smith, Hoekstra and Senators Levin and Stabenow's offices discussing a number of issues, including funding for Emerald Ash Borer, TB free status for the Upper Peninsula and the Specialty Crop Block Grant. He also talked with Tyler Weigmeier, Staff Specialist, Ag Committee on Risk Management.

**Commissioner Maitland** visited the Emerald Ash Borer site on Old Mission Peninsula with MDA staff. This area is established as a conservancy site. He also attended an evening meeting hosted by Dean Jeff Armstrong, at MSU with industry leaders.

**Commissioner Byrum** commented on ethanol prices and the number of planned ethanol plants. Some parts of the states are planting sugar beets, potatoes, and corn. He reported that 60 registrations for the Animal Waste Conference scheduled for April 25 have been received. A lot of interest is coming from unanticipated areas – financial sector to private sector. Commissioner Byrum reported that Michigan Agri Business members were not aware that a product being sold as turkey feed were actually Nutsedge tubers. He participated in an Apple Trade Mission to Mexico. There is an increasing concern from agri businesses regarding the Department of Agriculture's budget situation and potential impact on services they rely on.

## **DIRECTOR'S REPORT**

Director Wyant informed the Commissioners that Vicki Pontz, Director of the Environmental Stewardship Division, will be leaving the Department on April 22, 2005. She will become a small business owner in Portland, Michigan. Director Wyant stated that she has been a tremendous asset to the Department, has taken the Environmental Stewardship programs to new levels and has developed a lot of innovative projects.

The Department is working with a landowner that does not want to remove his Ash trees per a Director's Order. There was a review of order last week and a final decision has not been reached at this point.

Budgets are moving simultaneously. The Department has been before both the House and Senate Ag Appropriation Sub-committees. They are asking for staff to provide more information and in some cases presentations. Issues brought up most consistently are reductions in horseracing, revenues and gasoline inspections.

Chris White, Acting Racing Commissioner is attending a National Conference of Racing Commissioners next week. She has approved the sale of the Jackson track.

The Governor's office, with Chris White's leadership, continues to work on a Food Policy Council. We will hear an announcement on this relatively soon. State Fair Board appointments should also be forthcoming. The MDA staff is working on a smooth transition of the MSF to the Department of Management and Budget. MDA's commitment is to continue to help with the Agriculture Building, Livestock Sale, and to have inspectors on the grounds during the fair.

The Bio-diesel tour was very successful. It received a lot of attention and bi-partisan attendance was good, ranging from producers to agriculture business interests, local government leaders, mayors, industry representatives and those involved in alternative energy. It was a tremendous cross section of individuals.

Director Wyant has met with the Great Lakes Ethanol Group. They confirmed that they are a little short of where they want to be to keep the plant farmer owned/farmer controlled. They are pursuing outside resources to move the plant forward.

A press release will go out today regarding Minnesota's decision to accept cattle from the UP.

Director Wyant met with Jim Schiller, head of Greenstone Farm Services. They are reviewing suggested changes to Federal rules to allow them more flexibility in Rural Development issues.

There is an ongoing issue with Balut eggs, a type of egg that is an undeveloped embryo, shipped non-cooled and intended for human consumption. The Department is working with the Food and Drug Association to determine the food safety aspect.

Director Wyant reviewed up coming events, highlighting the Food Show in Chicago on May 2; May 5 is State Employee Appreciation Day, an event is planned in conjunction with the Department of Environmental Quality; the Michigan Parade slated for May 14 has an agricultural theme this year; Michigan Land Use Summit, hosted by MSU, May 19-20; the Michigan Food Processor Association Meeting is

June 12 and 13 on Mackinaw Island; and May 24 is Ag Day at the Capitol sponsored by Michigan Farm Bureau.

Jeff Haarer gave a report on the Farm Produce Insurance Authority. They have approved 29 of 30 claims submitted due to a February 2004 failure of an elevator, MST Investments, Inc. The total claims approved were \$390,000. Before payments are made to producers making claims, a subrogation and assignment of claim form of rights has to be submitted to the Department, this assigns the rights of collection to the Department. If the farms had a price later agreement they will receive 90% payment, if the grain was stored they will receive 100%.

Director Wyant has met with the Michigan Department of Corrections (MDOC). MDOC is interested in pursuing building migrant labor housing at a correctional facility at cost. The housing would then be relocated to the farm site.

#### **APPROVAL OF DIRECTOR'S TRAVEL**

Director Wyant requests approval to attend a Robotic Milking Tour in Canada on May 26, 2005.

**MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE DIRECTOR'S TRAVEL REQUEST. SECONDED BY COMMISSIONER JOUSMA-MILLER. MOTION CARRIED UNANIMOUSLY.**

#### **RESOLUTION HONORING ROBERT TAYLOR**

Director Wyant presented a resolution for Robert Taylor's retirement from the Food and Dairy Division after 35 years of service to MDA.

**MOTION: COMMISSIONER NORTON MOVED TO APPROVE THE COMMISSION RESOLUTION FOR ROBERT TAYLOR ON HIS RETIREMENT FROM STATE SERVICE. SECONDED BY COMMISSIONER DARLING. RESOLUTION ADOPTED.**

#### **ANIMAL INDUSTRY UPDATE: Dr. Steve Halstead, Director, Animal Industry Division**

Dr. Halstead shared that a preliminary diagnosis of low path avian influenza was made at a turkey hatchery on the west side of Michigan. It is a swine variety that tends to circulate commonly, H3N2. This variety is not transmittable to humans. Per our trade agreement Russia must be informed of the disease. Russia's requirements are for a 30-day stoppage of any shipment of poultry and poultry products from Ottawa County and the surrounding three counties and then a six month disease free testing period. Russia trade is a fifth of the poultry market for Michigan. The poultry can still be marketed in the United States.

Dr. Halstead also reported that upon review of cervids with Chronic Wasting Disease at two operations in New York, Michigan's records revealed only one animal that came into Michigan from Oneida County, New York (but not from the infested facilities). The animal was here two months and was moved to Wisconsin.

There is a joint meeting planned for Northeast Michigan with MDA, Department of Natural Resources, USDA Wildlife Services, local MSU Extension, and local producers regarding TB. This meeting is at the request of the producers in the area.

Ohio's change in law, placing Michigan on an equal status with other states in the Uniform Method of Rules for TB, has gone through both chambers and is expected to be signed.

It is also expected that USDA will publish a proposed rule in the Federal Register seeking TB free status for the Upper Peninsula within the next three months. Coverage at the Mackinaw Bridge should be in place early May. Animal Industry and Pesticide and Plant Pest Management staff will be trained to check for both program issues – animals and firewood.

#### **PLANT INDUSTRY PEST UPDATE: Ken Rauscher, Director, Pesticide & Plant Pest Management Division**

Ken Rauscher gave a Powerpoint on Pesticide and Plant Pest Management Division's programs. This was a general overview of all programs within the Division: Plant Programs - such as nursery stock inspection and licensing, exotic pests; Ag Products - seed, feed, fertilizer, containment of agri-chemicals, fruit and vegetable inspection, pesticide registration and certification. The Pesticide and Plant Pest Management Division's programs are involved in many Department priorities – protecting human health and the environment, and fostering a diverse agriculture. This presentation will also be presented at the House Ag Appropriation Sub-committee meeting on April 19. Commissioner Byrum expressed his interest in, and appreciation to the Divisions for the information they have been presenting to the Commission.

#### **FARM BILL IMPACTS: Bruce Wier, USDA, Farm Service Agency**

Bruce Wier, State Executive Director and Debra Spike, Administrative Officer, Michigan Farm Service Agency (FSA) presented FSA's activities, challenges and anticipated changes. In September 2004 e-gov was activated that allows web-based approvals and quick turn around time for deposits. The goal is to get a bigger percentage of producers on line with e-gov. FSA is working on promotion of their web site and are willing to do presentations at up-coming producer activities.

The newest initiative coming from Washington is "FSA Tomorrow". It is anticipated that up to 14 offices in Michigan may be closed. Payments to producers was discussed with concern that Michigan has such a diverse crop production that the number of staff and expense involved in field checks is not completely comprehended.

**LEGISLATIVE UPDATE AND EMERGENCY MANAGEMENT UPDATE: Brad Deacon, Legislative Liaison and Emergency Management Coordinator**

Mr. Deacon reported that the House Agriculture Committee passed out of committee the biodiesel bill (HB 4235) requiring fuel to contain two percent biodiesel and requiring MDA to inspect diesel fuel. Currently the department inspects gasoline for quantity and quality; diesel is only checked when a quantity complaint is received. The addition of quality inspection would involve extensive changes to the Laboratory and require additional staffing. The bill is now awaiting discussion and vote on the House floor.

A bill on Farmland Preservation (HB 4257) has also passed out of committee, along with a bill on anhydrous ammonia (HB4108). A bill requiring state and federal criminal history checks for applicants of an occupational license has passed both House and Senate (HB4233). A series of bills (HB 4560, 4561, 4562 and 4567) revising penalties for violations of quarantines have been introduced. HB 4419 has been introduced, transferring the authority of game animals from the Natural Resources Commission to the MDA Commission. It is not anticipated that this bill will move out of committee.

A bill passed last session changing pesticide notification will require us to revise Regulation 637, Pesticide Use. A workgroup is being formed to work on these changes.

An emergency management sampling exercise is planned for May 18. The Laboratory has requested an exercise with samples actually being sent to the Laboratory in order to prepare for an inordinant number of priority samples. Mr. Deacon also provided a sample of a flyer with contact emergency numbers. The Commissioners felt this would be even more beneficial if it included emergency numbers from other sources also. It was noted that Michigan Farm Bureau and Michigan Agri Business do similar info sheets. Mr. Deacon will look into the possibility of all emergency numbers being compiled for distribution.

**PUBLIC COMMENT:**

None

**RECESS:**

The meeting was recessed at 12:03 p.m.

**RECONVENE:**

The meeting was reconvened at 1:00 p.m.

**LOCAL PURCHASE DEVELOPMENT RIGHTS GRANT CYCLE: Gordon Wenk, Deputy Director, and Rich Harlow, Farmland Preservation Program Manager, Environmental Stewardship Division**

Rich Harlow and Gordon Wenk addressed the Commissioners regarding the Agriculture Preservation Fund Act, PA 262 of 2000, enacted to make grants to local units of governments for assisting with purchasing development rights. The Agriculture Preservation Fund Board has developed a scoring system and application process to review the applications submitted. The 2005 grant cycle is currently underway. There are recapture funds available from the PA 116 program. Mr. Harlow requested that the Commission approve proceeding with the 2005 local grant application cycle. Any intent to expend funds has to be approved by the Agriculture Preservation Fund Board and the Commission of Agriculture.

**MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE REQUEST TO PROCEED WITH THE 2005 LOCAL PURCHASE OF DEVELOPMENT RIGHTS GRANTS CYCLE. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED UNANIMOUSLY.**

**ANNUAL REVIEW – GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMPS): Dr. Lee Jacobs, Michigan State University; Dr. Bill Bickert, Michigan State University; Wayne Whitman, Right to Farm Program Manager, Environmental Stewardship Division**

Wayne Whitman, Environmental Stewardship Division presented the annual review of the Pesticide Utilization and Pest Control GAAMP. Minor changes were reviewed with a request for the draft to be placed on the MDA website and presented at a public input meeting in May.

**MOTION: COMMISSIONER MAITLAND MOVED TO ACCEPT THE DRAFT AND PROCEED TO PUBLIC HEARING. SECONDED BY COMMISSIONER NORTON. MOTION CARRIED UNANIMOUSLY.**

Dr. Lee Jacobs, MSU presented the annual review of the Nutrient Utilization GAAMP. Dr. Jacobs stated that no proposed changes were received for this GAAMP from solicited taskforce members. MDA suggested that language be added explaining composting as an option. Some section titles were changed for clarification and two tables were added.

**MOTION: COMMISSIONER DARLING MOVED TO ACCEPT THE DRAFT AND PROCEED TO PUBLIC HEARING. SECONDED BY COMMISSIONER MAITLAND. MOTION CARRIED UNANIMOUSLY.**

Dr. Bill Bickert, MSU, presented the changes to the Manure Management and Utilization GAAMP. Minimal changes were made to fertilizer recommendations and a 25-year precipitation by county chart was changed to be in accordance with Michigan Department of Environmental Quality and the Natural Resource Commission information.

**MOTION: COMMISSIONER DARLING MOVED TO ACCEPT THE DRAFT AND PROCEED TO PUBLIC HEARING. SECONDED BY COMMISSIONER MAITLAND. MOTION CARRIED UNANIMOUSLY.**

Dr. Bickert, MSU, presented changes to the Site Selection and Odor Control for New and Expanding Livestock Production Facilities GAAMP. Dr. Bickert explained that an important change to this GAAMP was to the odor estimator model and the development of an odor management plan. Greater emphasis is being placed on the development of an odor management plan, instead of using the odor estimator as the final determination; it is being used as a guidance and awareness tool.

**MOTION: COMMISSIONER NORTON MOVED TO ACCEPT THE DRAFT AND PROCEED TO PUBLIC HEARING. SECONDED BY COMMISSIONER MAITLAND. MOTION CARRIED UNANIMOUSLY.**

**INTERNATIONAL MARKETING PROGRAM UPDATE: Jamie Zmitko-Somers, International Marketing Specialist, Agriculture Development Division**

Jamie Zmitko-Somers gave a Powerpoint on International Marketing, Mid American International Agri-Trade Council (MIATCO), their four regional trade groups; and a general overview of MIATCO functions; Foreign Agricultural Service funding programs; the Branded Program, which promotes brand name awareness; export training seminar; Food Marketing Institute 2005; ABCC Mexico, apple, blueberry, cherry and cranberry promotions; and wine promotions in England and Korea. Some of the activities planned for 2005 are the Midwest Buyers Mission, the Czech Trade Mission, maple syrup promotions in Germany and Japan and an applesauce promotion in Mexico.

**DEPARTMENT BUDGET ISSUES: Keith Creagh, Deputy Director, Michigan Department of Agriculture**

Keith Creagh and Deborah Laverty, provided budget information regarding the general funds within the Department. Mr. Creagh gave a history on base line appropriations for 1998 through 2006. He also reported on state general purpose revenue percentages compared to the overall state general purpose revenues for 1997 through 2006. Mr. Creagh gave detail on how the general fund was being utilized by division and restricted fund balances within the Department.

## **COMMISSIONERS' ISSUES**

None

## **PUBLIC COMMENT:**

Rick Sprague, Cervid Farmers of Michigan indicated they would like to be more proactive with education and farmer involvement. He sought the Commissioners support to move forward with improving the cervid industry. He stated that they would prefer to be under the authority of the MDA.

Tonia Ritter, Michigan Farm Bureau informed the Commission that MFB is planning a day of comprehensive promotion of agriculture in the state. This will take place on May 24 at the Capitol. Commodity groups from around the state have been invited to participate.

Robert Williams, Stewart Farm Ecology Center addressed the Commission regarding the Emerald Ash Borer situation on Harsen's Island. He stated the he believes that the public hearing process and the basis for the determination of ash trees as a host plant nuisance under Act 189 of 1931 was flawed and that order should be rescinded.

## **ADJOURNMENT:**

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

**Meeting was adjourned at 3:00 p.m.**

## ***ATTACHMENTS***

*A - Minutes of February 10, 2005 Commission of Agriculture meeting*

*B – Minutes of March 10, 2005 Commission of Agriculture meeting*

*C –Minutes of March 10, 2005 Joint Meeting of Natural Resources Commission and the Commission of Agriculture*

*D – Director's Report – March 2005*

*E – Resolution – Robert Taylor Retirement*

*F – Agriculture Preservation Fund Board Memo*

*G –FSA at Work Across Michigan – Fiscal Year 2004*

*H – Legislative Report – March 2005*

*I – Protecting Michigan's Food Emergency Information Sheet*

*J –GAAMPS*

*K – International Marketing Power Point*

*L – MDA Budget Charts*

*M- Pesticide & Plant Pest Management Update*

*N – Memo Regarding Michigan Deer and Elk Producers Program Review*

*O – Memo from Robert Williams, Stewart Farm Ecology Center*