

**Michigan Commission of Agriculture Meeting  
Kellogg Hotel and Convention Center  
Michigan State University  
East Lansing, MI**

**MEETING MINUTES  
March 11, 2004**

**PRESENT:**

Bill Pridgeon, Chair, Commission of Agriculture  
James Maitland, Vice-Chair, Commission of Agriculture  
James Byrum, Secretary, Commission of Agriculture  
Douglas Darling, Commission of Agriculture  
Ann Jousma-Miller, Commission of Agriculture  
Dan Wyant, Director, Michigan Department of Agriculture  
Keith Creagh, Deputy Director, Michigan Department of Agriculture

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

Michigan Department of Agriculture Staff  
Rob Anderson, Michigan Farm Bureau  
E.J. Brown, Michigan Association of Fairs and Exhibitions  
Ron Nelson, Michigan Farm Bureau  
John Reurink, MIRS  
Tonia Ritter, Michigan Farm Bureau

**CALL TO ORDER AND ROLL CALL**

Chair Pridgeon called the meeting of the Commission of Agriculture to order at 9:10 a.m. on Thursday, March 11, 2004. Secretary Byrum called the roll with Deputy Director Creagh, Commissioners Darling, Maitland, and Pridgeon present.

**APPROVAL OF AGENDA**

**MOTION: COMMISSONER DARLING MOVED APPROVAL OF THE  
MARCH 11, 2004 AGENDA AS PRESENTED. SECONDED.  
MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF FEBRUARY 10, 2004 MEETING MINUTES**

**MOTION: COMMISSIONER BYRUM MOVED APPROVAL OF THE FEBRUARY 10, 2004 MEETING MINUTES. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**NEXT MEETING**

The next meeting of the Commission of Agriculture is scheduled for April 14, 2004 in East Lansing.

**APPROVAL OF COMMISSIONERS' TRAVEL**

Commissioner Maitland attended the Michigan Wine Industry Annual Meeting at Crystal Mountain and the Apples to Mexico Program in Conklin.

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

Note: Commissioner Jousma-Miller joined the meeting at 9:20 a.m.

**COMMISSIONERS' COMMENTS**

**Commissioner Byrum** reported that fertilizer prices are up, but commodity prices are also up, allowing for a profitable year. There is a challenge in getting the fertilizer to Michigan; Canadian rail strikes and increased springtime traffic on the highways have resulted in some spot shortages in nutrients. Commissioner Byrum attended the National Association of State Departments of Agriculture meeting in Washington, D.C. on February 19-23, and the Great Lakes Conference in Ontario on February 11-12. Four Michigan ethanol plants are in the planning/construction/feasibility study stages, along with an expansion at the existing plant. Commissioner Byrum stated that Michigan does not produce enough corn to feed all the plants proposed.

**Commissioner Darling** attended the Michigan Association of Counties reception and the Michigan Pork Producers Annual Banquet in February. He, along with Director Wyant, Chris White and Bob Craig met with National FFA officer Casey Hogan, of Texas, and Ryan Peterson, Michigan State FFA President. He also attended the Michigan Farm Bureau Legislative Reception, MFB Environmental Natural Resources Committee and a meeting sponsored by the Monroe County Farm Bureau addressing fuel and fertilizer storage. Commissioner Darling judged at the Michigan FFA Convention. He reported on the Leadership Enhancement Program launched this past week. FFA members will partner with farm organizations, commodity groups or agri-businesses with the students observing leadership styles, and recognizing responsibilities and opportunities in agri-business.

Note: Director Wyant joined the meeting at 9:30 a.m.

**Commissioner Maitland** attended the Michigan Wine Industry Annual Meeting in Crystal Mountain and the Apple Export program in Conklin. He complimented MDA staff for their attendance at various meetings throughout the state and their efforts to work with the communities.

**Commissioner Jousma-Miller**, in conjunction with the travel company she works with, just returned from a trip to Australia and New Zealand where she visited several farms. In New Zealand there is a program to promote beginning farmers with an “apprenticeship-type” program. She stated that Wisconsin has been holding Chronic Wasting Disease (CWD) public meetings and she is obtaining summaries of these meetings to glean public comments.

**MICHIGAN INTEGRATED FOOD AND FARMING SYSTEMS: Tom Guthrie, Executive Director, MIFFS and Elaine Brown, Program Manager**

Mr. Guthrie introduced Elaine Brown, Programs Manager for MIFFS. Mr. Guthrie gave an update on MIFFS programs including: kitchen incubators, food secure futures, MIFFS Marketline, pastured poultry, Clare County farmers’ market, Michigan Partnership for Product Agriculture, land use and the multicultural farmer’s program. He reported that the 2004 Michigan Family Farms Conference is scheduled for March 26-27 in Lansing.

**MICHIGAN HORSE COUNCIL: Ann Louise Budd and Janet Washington**

Ms. Budd invited the Commissioners to the Horse Expo at the MSU Pavilion on March 12-14. Ms. Washington reported on the Horse Industry Day at the Capitol, held February 3. She also highlighted various activities taking place within the industry. The horse industry is reported to be a \$500 million industry in Michigan.

**APPLES TO MEXICO: Robert Craig, Director, Ag Development Division and Jamie Zmitko, International Marketing Specialist**

Mr. Craig and Ms. Zmitko provided an update on the shipment of Michigan apples to Mexico. On February 16, Dietrich Brothers Orchards hosted a media event on the first shipment of Michigan apples to Mexico. All red and golden delicious varieties of U.S. apples have to pay a 46% duty levied by the Mexican government. The Mexican government will not enter into negotiations regarding the duty, with Michigan apple producers unless they are currently shipping apples into Mexico.

Bob Craig will join the Michigan Apple Committee on a trip to Mexico planned for March 12-16. Visits will be made to markets in Mexico City and ANTAD Trade Show (a large food trade show).

## **DIRECTOR'S REPORT**

**Director Dan Wyant** reported on the MDA Programs and Priorities booklet that was presented to the House Appropriations on Agriculture Sub-committee meeting this morning. He reported that initial reports indicate MDA will receive an increase in the general fund of four percent to support the priority programs and partially offset increased salary and wage costs.

Director Wyant highlighted key issues occurring since the February Commission meeting. These include:

- Attended the USDA Fruit & Vegetable Advisory Committee in Washington, D.C. on February 18-20. The department is hosting a statewide fruit and vegetable meeting on March 29 focusing on all issues that impact the fruit and vegetable industry.
- Continental Dairy and the check-off program – the check-off dollars are being put into an escrow account until resolution of issues regarding utilization of the funds.
- Final determination on Concentrated Animal Feeding Operations (CAFO) regulations for new large CAFOs effective February 27, 2004. These CAFOs must apply for a National Pollutant Discharge Elimination System (NPDES) permit 180 days prior to commencing operation. Existing CAFOs may continue to utilize the MAEAP, unless they have had a discharge. DEQ plans to hold public meetings to educate the agriculture community on the new requirements.
- Pat Lockwood has joined the Department as EAB Policy Director. Ms. Lockwood will address the need for coordination of communication with local municipalities, local units of government; and ensure that other departments are lending support and resources to the issue.
- Jeff Haarer reported on MST Investments – on February 22, MDA auditors discovered \$213,000 in exposure for price later agreements that were not covered by grain assets at the location or by escrow. The firm was given 10 days to comply, a hearing was held on February 17, at which time the firm announced they were filing for Chapter 7 bankruptcy and were relinquishing their license. On February 18 assets were seized and inventoried.

Director Wyant also provided the Commissioners with a list of upcoming events of interest to them.

## **RECESS:**

The meeting recessed at 11:35 a.m. At this time, the Commission attended the Ag and Natural Resources Week luncheon and awards program.

## **RECONVENE:**

The meeting reconvened at 2:20 p.m.

**WATER USE DISCUSSION: Skip Pruss, Deputy Director, Michigan Department of Environmental Quality**

Mr. Pruss reported on the Water Use Legacy Act that will impose a permitting regiment on withdrawals that meet a threshold of two million gallons per day or 100 million gallons per year, 18 months after enactment. All currently existing withdrawals of that magnitude would not be subject to the permitting provisions. In 2010, that threshold goes down to 100,000 gallons per day. The permits are for a 20-year duration and are freely transferable, without any application, to a new owner/operator. However, the new owner/operator will have to give notice to the MDEQ that they are the new owner/operator. In 2009, existing withdrawals over two million gallon per day, or 100 million per year would be obligated under Act 451, Part 327, Natural Resources and Environmental Protection Act, to submit to the MDEQ, once every five years, a best management practices plan for the implementation of conservation methods. This is the water-reporting act, under which most sectors, with the exception of agriculture have to report water usage annually. In 2009 withdrawals that meet the trigger threshold, two million per day or 100 million per year, would have to submit a conservation measures plan. Under existing law, part of the reporting that agriculture does to MSU and MDA includes a plan for conservation measures. It is not yet known the number of agriculture wells that will be impacted by the act. All other sectors report annually to MDEQ the exact amount of usage. However, in doing some calculations, indications are that the act will not have a large impact on agriculture, until we get to the 100,000-gallons per day threshold in 2010.

**MICHIGAN CONSERVATION DISTRICTS: Vicki Pontz, Director, Environmental Stewardship Division; Steve Shine, Program Manager and Tom Middleton, State Council President, MACD**

Ms. Pontz stated that the purpose today was to demonstrate the role of conservation districts in general and delineate the importance of conservation districts to several state and federal environmental programs, and to highlight the resources to conservation districts from within the Department.

Mr. Shine gave a brief history of the development and purpose of conservation districts. The strength of the conservation districts is their partnership and work with other organizations to deliver services that are needed by private landowners to manage their resources. MDA's relationship with conservation districts is in the management, writing and review of grants, providing program specific support, resource assessments, strategic planning and standardizing of bookkeeping for all conservation district offices.

Ms. Pontz reviewed the conservation district program funding sources. Districts conduct fund raising activities, some receive appropriations from their counties, state appropriations are distributed through the MDA, and they also receive state and federal grants.

Local conservation districts provide fundamental conservation and natural resource education, watershed planning and implementation, forest stewardship programs, forestry and wildlife forestland enhancement program, and forestry and wildlife landowner incentive programs.

MDA works with conservation districts and other partners to administer the Michigan Agriculture Environmental Assurance Program (MAEAP). The Forestry Assistance Program is a relatively new program to help Michigan citizens better understand, manage, protect and utilize their forest resources.

Mr. Middleton talked about the conservation districts' role in education, training, and representation responsibilities. Conservation districts lobby the legislature (state and federal) and network with other associations.

**ANIMAL HEALTH UPDATE: Dr. Joan Arnoldi, Director, Animal Industry Division; Rebecca Humphries, Chief, Michigan Department of Natural Resources Wildlife Division and Steve Schmitt, MDNR Wildlife Pathology Laboratory**

Dr. Arnoldi, Ms. Humphries and Mr. Schmitt gave a presentation on Bovine tuberculosis survey results for 2003. In 2003, 17,257 wild white tailed deer were tested, with 32 positives; 101 wild elk were tested with two positives.

Ms. Humphries reported that the MDNR are live trapping white tailed deer, testing them, and fitting them with radio collars. If the test results return positive, the deer are located and removed/destroyed. Of 100 deer tested in this manner, two have been suspect and removed/destroyed.

Dr. Arnoldi reported that MDA has completed all the mandatory testing of cattle herds. Information has been distributed that any herd not tested by December 31, 2003, will be placed under quarantine. This resulted in requests from 150 herds for testing; these additional tests will be completed by the end of April.

At this time Director Wyant recognized Representative Matthew Gillard, 106<sup>th</sup> District (six counties within the TB infected area). Representative Gillard commented that his constituents are frustrated with the fact that there doesn't appear to be a proposed timeline when TB will not be a major issue in their area.

Dr. Arnoldi reported on Split State Status (SSS). A Memorandum of Understanding (MOU) with USDA APHIS has been received, outlining the conditions that must be met to obtain split

state status. Upon agreement, and signing of the MOU, the final rule will be published and SSS will become effective. The livestock industry and the TB Advisory Committee have been involved in communications involving the MOU, and meetings are set in the affected areas for the coming week. Legislators, whose districts will be impacted, have been contacted. Dr. Arnoldi distributed maps of the Bovine Tuberculosis modified accredited areas of the state and reviewed the procedures for movement from these areas.

Director Wyant reported that meetings have been held with the TB Advisory Committee, and meetings are scheduled in the northern lower Michigan and the upper peninsula for producers. He stated that Dr. Arnoldi will come back to the Commission in April with recommendations on zoning regulations. Public hearings for open comment will be held on the formal regulations with the intent to have the Split State Status in effect June 1, 2004.

**PLANT HEALTH UPDATE: Ken Rauscher, Director, Pesticide and Plant Pest Management Division**

Mr. Rauscher reported on the Gypsy Moth Suppression Program, funded 50/50 by USDA Forest Service and individual counties. There are 11 counties participating in 2004. Gypsy Moth was at a high in 1993, dipping in 1997, peaking in 1999, at a low level in 2002, and now the population is on the rise for 2004.

Mr. Rauscher presented proposed revisions to the Emerald Ash Borer Quarantine since the February Commission meeting. An additional 1,000 square miles will be added to the core area. A quarantine has also been proposed for some of the outlier areas. The current quarantine has a moratorium on sale and distribution of ash nursery stock in the lower peninsula until August 1, 2004. It has been proposed to remove that ending date.

At this time emergency management officials are considering requesting assistance from FEMA for removal of dead and dying trees in the core area that pose a threat to public safety. A proposal is being prepared for USDA on how the funds appropriated for tree removal will be distributed in southeast Michigan.

Outlier sites were reviewed. Twenty-two thousand trees have been removed from the Shields/Saginaw area.

Note: At 4:15 Commissioner Jousma-Miller left the meeting to make her return flight to Escanaba.

**PUBLIC COMMENT**

Tonia Ritter and Ron Nelson, Michigan Farm Bureau stated that the MFB policy opposes the

CAFO permitting recently established by MDNR. MFB feels it causes confusion in the livestock community due to the eco system agreement that was viewed as a solution for environmental issues and the EPA requirements. Ms. Ritter stated that MFB policy is supportive of moving towards split state status, but remain concerned about the modified accredited area. MFB wants to work with MDA to coordinate the issues with the producers in the area regarding the 60-day test requirement. The livestock sale in Gaylord is of concern due to deacon calves moving through the sale.

Mr. Nelson talked about the water use bill introduced this week (HB 5634/SB 1087). MFB has met with Director Chester, MDEQ, and he is aware of MFB policy on permitting.

Director Wyant reviewed the upcoming events with Commissioners and extended an invitation for them to attend any meetings of interest. Director Wyant introduced Pat Lockwood to the Commission. The Governor has assigned Ms. Lockwood as Emerald Ash Borer Policy Director.

#### **ADJOURNMENT**

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

**Meeting was adjourned at 4:55 p.m.**

#### **ATTACHMENTS**

- A - Agenda*
- B - February 10, 2004 meeting minutes*
- C - MIFFS*
- D - Michigan Horse Council*
- E - Apples to Mexico*
- F - Director's Report*
- G - Legislative Report, March 2004*
- H - MACD*
- I - Split State Status MOU*
- J - Plant Health Update*