

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

**MEETING MINUTES  
July 22, 2003**

**PRESENT**

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

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

Michigan Department of Agriculture Staff  
Dr. Margaret Benson, Michigan State University  
E. J. Brown, Michigan Association of Fairs and Exhibitions  
Dr. Eric Hanson, Michigan State University  
Dr. Maynard Hogberg, Michigan State University  
Dr. Lee Jacobs, Michigan State University  
Tonia Koppenaal, Michigan Farm Bureau  
Dr. Larry Olsen, Michigan State University  
Mark Salogar, House Dem Policy Office  
Denise Yockey, Michigan Apple Committee

**CALL TO ORDER AND ROLL CALL**

Chair Viau called the meeting of the Commission of Agriculture to order at 10:30 a.m. on Tuesday, July 22, 2003. Secretary Maitland called the roll with Director Wyant, Commissioners Byrum, Darling, Maitland, Pridgeon and Viau present.

**APPROVAL OF AGENDA**

**MOTION: COMMISSONER DARLING MOVED TO APPROVE THE JULY 22,**

**2003 AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF JUNE 12, 2003 MEETING MINUTES**

Commissioner Byrum asked to amend the June 12, 2003 minutes as follows:

Page three, third paragraph should read: "Commissioner Byrum stated that he had talked with the Mexican consuler in Detroit and suggests that the Department establish a link with the Mexican consulate."

**MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE JUNE 12, 2003 MEETING MINUTES AS AMENDED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**NEXT MEETING**

The next meeting of the Commission of Agriculture is scheduled for September 17, 2003, in East Lansing.

**APPROVAL OF COMMISSIONERS' TRAVEL**

Doug Darling attended the June 30, Emerald Ash Borer Informational Tour in Livonia.

**MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE MILEAGE FOR COMMISSIONER DARLING'S ATTENDANCE AT THE JUNE 30, 2003 EMERALD ASH BORER TOUR. SECONDED. MOTION CARRIED.**

**COMMISSIONERS' COMMENTS**

**Commissioner Darling** reported that crops in Southeast Michigan are a week to 10 days behind normal. Wheat harvest is in process. He attended the Emerald Ash Borer meeting in Livonia, June 30 and felt it was very educational and well attended by state and local government representatives.

**Commissioner Byrum** stated that natural gas prices are a huge issue for agriculture, nitrogen prices are up also. Crops in central Michigan and the thumb area look real good. He reported that a fire in a pesticide storage facility was handled according to policy, no water was applied and the pollution was contained and cleaned up within three days. Commissioner Byrum stated that the Canadian Food Inspection Agency is considering implementing a phyto requirement for soybeans moving from the U.S. to Canada. It is based on nematode issues and could have an

adverse impact on Michigan soybean shipments to Canada.

**Commissioner Pridgeon** stated that crops in his area look very good. Wheat yields are up. Commissioner Pridgeon attended a Homeland Security Meeting at MSU.

**Commissioner Maitland** reported that cherry harvest is over in the Traverse City area. The National Cherry Festival was a success. Grand Traverse Fruit Growers Council held their annual picnic with Representative Walker, Senators Allen and McManus attending. He attended a forum presented by Representative Walker dealing with land use and taxes. Commissioner Maitland attended an outing at Great Lakes Downs and felt it was a great experience. Commissioner Maitland complimented the MAEAP display at the Ag Expo. He felt it was a good compilation of the contributing organizations.

**Chair Viau** reported that the Upper Peninsula went from cold and wet to drought without significant rain since mid-June. She attended the Menominee County Fair over the weekend and observed great attendance.

## **DIRECTOR'S REPORT**

!Director Wyant complimented the **Ag Expo** that is being held on the MSU campus the week of July 12.

!Distributed a list of new appointees to various **boards**.

!Congratulated Denise Yockey on her position as Executive Director of the **Apple Committee**.

!Distributed a meeting synopsis of the **MAEAP Workgroup on Mitigating the Negative Environmental Impact of Downward Flow of Manure Water in Soils**.

!Governor's **Land Use Task Force Leadership Council** will meet next on August 3 & 4. The Task Force is to have a report completed by August 15.

!**Budget** is passed and has been sent to the Governor. It isn't anticipated that there will be any line item vetoes.

!The Department will participate in a **Natural Resource Leadership Academy**. MDNR and MSU are hosting with focus on natural resource conservation and environment. Animal Industry, Environmental Stewardship and Pesticide and Plant Pest Management Division Deputy Directors will be attending.

!A federal appeals court held the U.S. government-mandated beef check-off program unconstitutional.

!**Bovine Spongiform Encephalopathy (BSE)** concerns may be leading to a growing momentum for the nation to create an animal I.D. program.

!Governor Granholm and the First Gentleman have introduced a **visions and values program**, seeking state employee input. The Department is proposing an all-employee meeting and is requesting the Governor's participation.

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

Mr. Deacon reported that the legislature is on recess until August 13, when they will meet for one day and then resume their regular schedule September 16. MDA's budget has passed, but has not been presented to the Governor. The five bills increasing fees for various program areas were passed by House and Senate and have been presented to the Governor for signature. The water withdrawal legislation, SB289 (reporting), has been presented to the Governor and HB 4087 (complaint response) is back in the Senate. HB 4310, Grain Dealers FOIA has been signed, prohibiting disclosure of identity of individuals reporting violations under FOIA. The Grain Insurance Fund bill has passed the House and is in the Senate. HB 4083, Farmland Development has been signed. SB 163, Renaissance Zones has been presented to the Governor. HB 4657 removes the required labeling of ethanol, and has been presented also.

**RESCISSION OF REGULATION 818, MICHIGAN SIRE STAKES RACES,**

**CERTIFICATE OF ADOPTION: Brad Deacon, Legislative Liaison**

Regulation 818, Michigan Sire Stakes Races is before the Commission to seek signature of the Certificate of Adoption to rescind the rule, as it has been incorporated into other regulations.

**MOTION: COMMISSIONER DARLING MOVED TO APPROVE THE CERTIFICATE OF ADOPTION TO RESCIND REGULATION 818, MICHIGAN SIRE STAKES RACES AND AUTHORIZE THE CHAIR TO SIGN THE CERTIFICATE. SECONDED. MOTION CARRIED.**

**RECESS**

The meeting recessed at 11:45 a.m.

**RECONVENE**

The meeting reconvened at 1:05 p.m.

**UPDATE ON ANIMAL HEALTH ISSUES: Dr. Joan Arnoldi, State Veterinarian and Dr. Nancy Frank, Deputy Division Director**

Dr. Arnoldi requested that the Commission concur with the Director in declaring Antrim County a high-risk area for Bovine Tuberculosis. This allows MDA to test annually for three years to determine if any Bovine TB problems exist in Antrim County.

**MOTION: COMMISSIONER MAITLAND MOVED TO SUPPORT THE ESTABLISHMENT OF A TB HIGH RISK AREA IN ANTRIM COUNTY. SECONDED. MOTION CARRIED**

## UNANIMOUSLY.

USDA had extended the comment period on the split state status application to July 25 after the TB animal in Antrim County was detected.

**Chronic Wasting Disease Task Force** met recently to discuss compliance and enforcement issues. Another workgroup will be held July 25, a public meeting on July 29 and again in August.

**Electronic identification** is now mandatory if you have cattle in the infected or surveillance zone. The Antrim cow had electronic ID and trace backs were completed in a matter of hours, as compared to the two weeks it would have taken without the electronic ID. Michigan is the only state with an electronic ID system in place at this time.

Dr. Frank gave an update on the multistate outbreak of **Monkeypox**. These states include Illinois, Indiana, Kansas, Missouri, Ohio and Wisconsin. Michigan has not had a case of Monkeypox reported. There are five facilities under quarantine in Michigan at present. A ban on importation of prairie dogs and several African rodent species is in place.

### **EMERALD ASH BORER UPDATE: Kenneth Rauscher, Director and Gary King, Plant Industry Section Manager, Pesticide and Plant Pest Management Division**

Mr. Rauscher and Mr. King gave a power-point presentation on Emerald Ash Borer. As of July 27, a quarantine is in place on all ash materials in Oakland, Washtenaw, Wayne, Monroe, Livingston, and Macomb counties; covering 2500 square miles. There are about 700 million ash in Michigan comprising an ash resource of \$60 billion. The quarantine area contains about 15 million ash trees, half of these are dead or dying. Recent detected infestations have been found in Jackson and Ingham counties. In both instances the infestations can be traced back to the movement of firewood or nursery stock prior to the implementation of the EAB quarantine last July. Staff is surveying the areas around these sites to assess the extent of the infestation and risk associated with them. Following the assessment, regulatory decisions will be made regarding tree removals, treatments, and/or quarantine expansion.

The power point presentation gave an overview of the activities of the survey crews and the zone offices located in Brighton, Tecumseh and Almont. These offices act as operation centers for the various survey, control and regulatory activities.

Various methods of treatment are being explored for use on larvae and adult EAB. Currently tree removal is being used as pest control. MSU, USDA and MDA are jointly working on detection, control, trapping, eradication and education aspects.

**RIGHT TO FARM CASE REVIEW: Wayne Whitman, Program Manager, Environmental Stewardship Division**

Mr. Whitman reviewed a right to farm case involving a horse facility in Lenawee County. The complaint was odor, and upon investigation it was discovered that Sheryl McGrath had stockpiled manure along the edge of a field for one-quarter to one-half mile long. Throughout the investigations Ms. McGrath was uncooperative and verbally abusive. Ms. McGrath was informed that MDA had the right to investigate and if she did not cooperate she could be referred to MDEQ. MDA offered help with a utilization plan, Ms. McGrath asked MDA staff to leave her property, which they did. The manure is not being utilized and Ms. McGrath refuses to cooperate. Mr. Whitman asks that the Commission refer the case to the MDEQ at this time.

**MOTION: COMMISSIONER MAITLAND MOVED THAT THE COMMISSION REFER THE SHERYL MC GRATH RIGHT TO FARM CASE TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR ENFORCEMENT ACTION. SECONDED. MOTION CARRIED UNANIMOUSLY.**

The second case was a hog operation in St. Joseph County, Mr. Rodney Baker. A complaint of excessive odor was received, inspection did not verify apparent manure mismanagement, but Mr. Baker could not provide a manure management plan. Mr. Baker was advised to seek a manure management plan, either from MSU, NRCS or private sector. MSU did help Mr. Baker with a plan, recommending additional land base for the manure. However, Mr. Baker did not complete the plan, nor provide soil tests by the agreed upon date. Mr. Whitman asks that the Commission issue Mr. Baker a letter advising him that he has until August 22 to provide an acceptable plan to MDA.

**MOTION: COMMISSIONER BYRUM MOVED THAT THE COMMISSION ISSUE A LETTER TO MR. BAKER INDICATING THAT IF HE DOES NOT PROVIDE REQUESTED INFORMATION TO THE DEPARTMENT BY AUGUST 22, 2003, HIS CASE WILL BE REFERRED TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**IRRIGATION WATER USE GAAMP UPDATE: Gordon Wenk, Acting-Director, and Mike Gregg, Resource Conservation Section Manager, Environmental Stewardship Division**

Mr. Wenk and Mr. Gregg provided an update on the Irrigation Water Use GAAMP. The task force met July 8 to consider comments received during the public comment period that ended June 30. The comments, along with previous discussion by the commission have prompted the Task Force to completely reorganize and modify the GAAMP. Therefore the GAAMP is not ready to be presented to the Commission at this time.

**MOTION: COMMISSIONER DARLING MOVED THAT THE IRRIGATION WATER USE GAAMP BE BROUGHT BACK TO THE COMMISSION IN DRAFT FORM AFTER PUBLIC COMMENT PERIOD. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**RECESS**

Meeting recessed at 2:20 p.m.

**RECONVENED**

Meeting reconvened at 2:35 p.m.

**COMMISSION APPROVAL OF AG PRESERVATION FUND BOARD EXPENDITURES: Gordon Wenk, Acting-Director and Rich Harlow, Farmland Preservation Program Manager, Environmental Stewardship Division**

Mr. Wenk requested that the Commission approve additional expenditures for the farmland preservation program. Requesting use of funds, in excess of \$700,000, for these expenditures is required per PA 451 of 1994, Section 26202, Part 362. The Ag Preservation Fund Board approved the transfer of funds on June 27, 2003.

**MOTION: COMMISSIONER PRIDGEON MOVED THAT THE COMMISSION APPROVE THE ADDITIONAL EXPENDITURES OF \$152,264 FOR THE AGRICULTURAL PRESERVATION FUND BOARD. SECONDED. MOTION CARRIED.**

Note: Commissioner Byrum was out of the room at the time of voting on this motion.

## **PUBLIC COMMENT**

**Tonia Koppenaar**, representing Michigan Farm Bureau (MFB), wanted to make the Commission aware that the Bureau submitted comments of support regarding the TB Split State Status Application. As members of the Bovine TB Advisory Committee Ms. Koppenaar and Ernie Birchmeier (MFB) put together comments of support on behalf of the Bovine TB Advisory Committee as well.

Ms. Koppenaar thanked the Department for the Emerald Ash Borer Tour held in June. MFB is concerned about the support for nursery growers.

Ms. Koppenaar invited the Commissioners to attend County Farm Bureau annual meetings.

## **GENERALLY ACCEPTED AGRICULTURAL MANAGEMENT PRACTICES (GAAMPs):**

### **Wayne Whitman, Program Manager**

Mr. Whitman introduced the Chairs of each GAAMP Task Force. The Task Force Chairs presented the final GAAMPs to the Commission. The GAAMPs were revised to be more uniform in format and organizational structure. Each GAAMP now contains spill response and emergency telephone numbers; a preface and table of contents; and a list of all GAAMP Task Force members.

Pesticide Utilization and Pest Control, Dr. Larry Olsen: Content changes were minimal.

**MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE PESTICIDE UTILIZATION AND PEST CONTROL GAAMP AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

Cranberry Production, Dr. Eric Hanson: Content changes were minimal.

**MOTION: COMMISSIONER MAITLAND MOVED TO APPROVE THE CRANBERRY PRODUCTION GAAMP AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

Care of Farm Animals, Dr. Margaret Benson: The swine chapter has minimal changes. The equine chapter underwent a through review and a number of changes were recommended. The aquaculture species chapter had minimal changes.

Commissioners Darling and Byrum questioned the language in the equine chapter, Facilities and Equipment section, reading:

“Supplemental heating may be required to maintain the desired temperature inside the



barn during cold weather.”

**MOTION: COMMISSIONER BYRUM MOVED TO AMEND THE FACILITIES AND EQUIPMENT SECTION BY STRIKING THE SENTENCE READING, “SUPPLEMENTAL HEATING MAY BE REQUIRED TO MAINTAIN THE DESIRED TEMPERATURE INSIDE THE BARN DURING COLD WEATHER” AND REPLACING IT WITH THE FOLLOWING LANGUAGE: “IF USING SUPPLEMENTAL HEAT, ADEQUATE VENTILATION WILL BE REQUIRED”. SUPPORT. MOTION CARRIED UNANIMOUSLY.**

Nutrient Utilization, Dr. Lee Jacobs: Dr. Jacobs read into the Nutrient Utilization the following paragraph (not included in the draft document), under Fertilizer Recommendations:

“Essential plant nutrients from other sources than fertilizer salts may be used to satisfy the fertilizer recommendations for crops. These sources of nutrients can include animal manure and other biological materials, inorganic by-products, irrigation water, and residual nutrients present in the soil from one growing season to the next. Non-fertilizer materials should be tested for their nutrient content and residual nutrients should be estimated when possible to determine appropriate nutrient credits against fertilization recommendations.”

Pending completion of Regulation 642, On Farm Fertilizer Bulk Storage there will be changes to the Runoff Prevention and Runoff Collection portions of the GAAMP.

**MOTION: COMMISSIONER MAITLAND MOVED TO TABLE THE NUTRIENT UTILIZATION GAAMP UNTIL THE SEPTEMBER 2003 COMMISSION OF AGRICULTURE MEETING ALLOWING REFERENCE TO REGULATION 642, ON FARM FERTILIZER BULK STORAGE, THAT IS EXPECTED TO BECOME EFFECTIVE AUGUST 1, 2003. SECONDED. MOTION CARRIED UNANIMOUSLY.**

Manure Management and Utilization, Dr. Maynard Hogberg: Non-substantive, editorial changes were made to the introduction. Runoff Control and Wastewater Management section was reorganized and one new GAAMP added under Construction Design and Management for Manure Storage and Treatment Facilities (27A). Method of Manure Application added a

reference to increased flow into field tile lines through soil macrophores. Appendix B has a Comprehensive Nutrient Management Plan description added. Appendix C, an example Manure Management Systems Plan was added.

After discussion it was suggested to change the Method of Manure Application language from “increased flow into field tile” to read “liquid manure flow into field tile”.

**MOTION: COMMISSIONER BYRUM MOVED TO APPROVE THE MANURE MANAGEMENT AND UTILIZATION GAAMP WITH THE FOLLOWING AMENDMENT TO METHOD OF MANURE APPLICATION: “...APPLICATIONS THAT RESULT IN INCREASED FLOW IN FIELD TILE LINES IS AN UNACCEPTABLE PRACTICE” SHOULD READ “...APPLICATIONS THAT RESULT IN LIQUID MANURE FLOW IN FIELD TILE LINES IS AN UNACCEPTABLE PRACTICE.” SECONDED. MOTION CARRIED UNANIMOUSLY.**

Site Selection and Odor Control for New and Expanding Livestock Production Facilities, Dr. Maynard Hogberg: The Property Line Setback was clarified to address road right of way and property line setbacks. Site Setbacks, Verification and Notification tables were amended to have separate figures for the new and the expanding operations. A Comprehensive Nutrient Management Plan description was added.

**MOTION: COMMISSIONER DARLING MOVED TO ACCEPT THE SITE SELECTION AND ODOR CONTROL FOR NEW AND EXPANDING LIVESTOCK PRODUCTION FACILITIES GAAMP. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**RESOLUTION HONORING DR. MAYNARD HOGBERG: Director Wyant**

Director Wyant and Chair Viau presented a Commission Resolution to Dr. Maynard Hogberg for his years of service and dedication to Michigan State University, the Michigan Department of Agriculture and the livestock industry.

**ADJOURNMENT:**

**MOTION: COMMISSIONER PRIDGEON MOVED TO ADJOURN THE**

**MEETING. SECONDED. MOTION CARRIED UNANIMOUSLY.**

The meeting was adjourned at 4:20 p.m.

**ATTACHMENTS**

- A - Agenda*
- B - June 12, 2003 minutes*
- C - Director's Report - July 2003*
- D - Legislative Report, July 2003*
- E - Reg. 818, Certificate of Adoption*
- F - Monkeypox Update*
- G - High Risk Area for TB - Antrim County*
- H - Emerald Ash Borer*
- I - Right to Farm - McGrath and Baker*
- J - Irrigation Water Use GAAMP*
- K - Ag Preservation Fund Board Expenditures*
- L - GAAMPS Annual Review*
- M - Resolution - Dr. Maynard Hogberg*