

**Michigan Commission of Agriculture Meeting  
Michigan Department of Agriculture  
Grand Traverse Resort  
100 Grand Traverse Village Boulevard  
Acme, Michigan**

**MEETING MINUTES  
December 5, 2002**

**PRESENT:**

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

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

Michigan Department of Agriculture Staff  
Tom Carr, Traverse City Record Eagle  
Donald Coe, Black Star Farms  
Judy Emmons, State Representative Elect  
Mark Johnson, Chateau Chantal  
Al Karnemaat, Karnemaat's LLC  
Marlene Karnemaat, Karnemaat's LLC  
Tonia Koppenaal, Michigan Farm Bureau  
Dan Marsh, Michigan Deer and Elk Farmers Association  
David Milligan, Michigan Bean Commission  
Shirley Skogman, Former Commissioner  
Mike Tyree, Associated Press, Traverse City  
Wayne Wood, Michigan Farm Bureau

**CALL TO ORDER AND ROLL CALL**

Chair Darling called the meeting of the Commission of Agriculture to order at 9:00 a.m. on Thursday, December 5, 2002. Secretary Pridgeon called the roll with Director Wyant, Commissioners Darling, Pridgeon, Tatter and Viau present and Commissioner Maitland absent.

Michigan Farm Bureau President, Wayne Wood welcomed the Commission to Traverse City and the Michigan Farm Bureau (MFB) Annual Meeting. He stated that the MFB delegates

took up the Commission System of Government resolution on December 4 and should be voting on it in the morning session. Mr. Wood stated that Farm Bureau staff appreciate the working relationship they have with MDA. He invited the Commission to join the Water Rights meeting being held that afternoon.

### **APPROVAL OF AGENDA**

**MOTION: COMMISSIONER VIAU MOVED APPROVAL OF THE DECEMBER 5, 2002 AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

### **APPROVAL OF NOVEMBER 6, 2002 MEETING MINUTES**

**MOTION: COMMISSIONER TATTER OFFERED AN AMENDMENT TO PAGE 4, DIRECTOR'S REPORT TO ADD 'AND NATURAL RESOURCES' TO THE DEAN OF AGRICULTURE. COMMISSIONER DARLING ASKED TO REMOVE THE LAST LINE FROM HIS COMMENTS, AS HE DID NOT MEET WITH BRUCE KNIGHT OF USDA NATURAL RESOURCE CONSERVATION SERVICE. COMMISSIONER TATTER MOVED APPROVAL OF THE NOVEMBER 6, 2002 MEETING MINUTES WITH CHANGES PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

### **NEXT MEETING**

The next meeting of the Commission of Agriculture is scheduled for January 9 and 10, 2003 in conjunction with the Michigan Association of Fairs and Exhibitions , Grand Rapids, Michigan.

### **COMMISSIONERS' COMMENTS**

**Commissioner Tatter** stated there was far less standing corn in the southwest area than last year for the opening of gun deer season. That factor and much better hunting weather than a year ago seems to have resulted in increased deer kill. Farmers are more open to allowing hunters on their property each year. The private property deer license procedure that is now in place has increased hunter success. Commercial deer processing locations are fewer each year in the southwest area of the state as more hunters are processing their own, and other's deer. He expressed concern that unregulated meat processing could result in human and/or animal health incidents.

Since the September Commission meeting Commissioner Tatter participated in the following ag-related functions:

- two conference calls with Michigan State Chamber of Commerce concerning legislative

priorities and land use policy development.

- a College of Agriculture and Natural Resources stakeholder meeting.
- a Kalamazoo County, MSU Extension Council Winter meeting.
- a Berrien, Cass, VanBuren County Work Force Development Board meeting.

**Commissioner Viau** reported that deer season in the Upper Peninsula was successful in the Escanaba area. She stated there currently is no snow on the ground.

**Chair Darling** stated that in southeast Michigan the harvest is complete and a lot of the fieldwork has also been completed due to the mild fall weather. Chair Darling took part in the Michigan Farm Bureau Star Award Presentation, December 3, along with Director Wyant. He and the Director also had the opportunity to visit the MDA Region II office on December 4.

**Commissioner Maitland** joined the meeting at this time. He reported that he attended meetings hosted by Michigan Farm Bureau with area farmers in the Hale and Hillman areas regarding TB. He feels that these types of meetings are well received and should be continued on an annual basis.

#### **MICHIGAN BEAN COMMISSION: Dave Milligan, Chairman**

Mr. Milligan stated that a shipment of Michigan beans is on its way to Cuba for the first time in 40 plus years as a result of a project started in 1999. In 2000, Director Wyant, Michigan Farm Bureau staff, elected officials and several notable names in Michigan agriculture made a trip to Cuba. Mr. Milligan thanked Director Wyant, Bob Craig, Paul Burke and the Michigan Department of Agriculture for their vision and leadership in helping establish a new era of trade with Cuba.

#### **INTERNATIONAL MARKETING ACTIVITIES UPDATE: Robert Craig, Director, Agriculture Development Division**

Bob Craig introduced Paul Burke, International Marketing Manager, and Jamie Zmitko, International Marketing Specialist. An overview of international marketing was presented giving an update on activities and programs currently being developed and activities conducted over the past year.

The Mexican market for fresh apple shipments; Apple, Blueberry, Cranberry, and Cherry marketing program and mid-west wine promotion were covered.

#### **RIGHT TO FARM CASE REVIEW: Vicki Pontz-Teachout, Director, Environmental Stewardship Division**

Vicki Pontz-Teachout presented three Right to Farm cases with a request for further action by

the Commission. Each case was reviewed with suggested follow-up action.

- Cleon Duryea from Hopkins, Michigan, Allegan County – complaint of 250 hogs with uncontrolled access to a stream. Mr. Duryea has been asked to develop a manure management plan and work with locals. He has been uncooperative. Ms. Pontz-Teachout requests the Commission to send a letter to Mr. Duryea stating that noncompliance will result in referral to the Michigan Department of Environmental Quality (MDEQ).

**MOTION: COMMISSIONER MAITLAND MOVED THAT THE COMMISSION SEND A LETTER TO MR. DURYEYEA STATING THAT NONCOMPLIANCE WITH THE RIGHT TO FARM GAAMP WILL RESULT IN THE COMPLAINT AGAINST HIM BEING REFERRED TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY. SECONDED. MOTION CARRIED UNANIMOUSLY.**

- Arthur Birchmeier, New Lothrop, Saginaw County – new 200 head dairy facility – odor, flies, possible runoff complaint. Mr. Birchmeier has provided parts of a manure management plan, but is reluctant to document how the manure storage is built, the size or capacity of storage, and if any recordkeeping is done. Ms. Pontz-Teachout requests letter from Commission stating that noncompliance will result in a referral to the MDEQ.

**MOTION: COMMISSIONER TATTER MOVED THAT THE COMMISSION SEND A LETTER TO MR. ARTHUR BIRCHMEIER STATING THAT NONCOMPLIANCE WITH THE RIGHT TO FARM GAAMP WILL RESULT IN THE COMPLAINT AGAINST HIM BEING REFERRED TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY. SECONDED. MOTION CARRIED UNANIMOUSLY.**

- Jeanette Hayward, Milford Township, Oakland County – enhanced petting farm with exotic animals - complaint of manure odors, flies and potential manure runoff to groundwater. Ms. Hayward has no manure management plan. The Department has been working with her for the past year with no cooperation. Ms. Pontz-Teachout requests the Commission send letter stating that noncompliance will result in referral to MDEQ.

**MOTION: COMMISSIONER PRIDGEON MOVED THAT THE COMMISSION SEND A LETTER TO MS. JEANETTE HAYWARD STATING THAT NONCOMPLIANCE WITH THE RIGHT TO FARM GAAMP WILL RESULT IN THE COMPLAINT AGAINST HER BEING REFERRED TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY. SECONDED. MOTION CARRIED**

**UNANIMOUSLY.**

**PUBLIC COMMENT:**

At the request of MFB President Wayne Wood, Tonia Koppenaal was allowed to address the Commission at this time.

Tonya stated that MFB members had discussed and approved, that morning, the following resolution under the Commission System of Government to appear in the Michigan Farm Bureau policy as follows:

“The Michigan Department of Agriculture and the Department of Natural Resources have been controlled by a commission system. A bipartisan commission is appointed by the Governor and approved by the Legislature. The commission sets policy for the department and hires the director. The present commission system has allowed for continuity and consistency of programs. We strongly support the commission system of government, including authority for the commission to employ the director.”

**DIRECTOR'S REPORT : Director Dan Wyant**

Highlights of the past month were reported as follows:

Contact from the Governor-elect transition team. The initial meeting took place on December 4 with Deputy Director Creagh and budget personnel. Mitch Irwin, former State Senator is assigned as transition team leader for Agriculture. There also was an external meeting with Agriculture stakeholder groups, including MSU staff. At this point in time the team is gathering information about staff, appointments, and budgets.

The Governor is expected to release an Executive Order Budget Reduction today (December 5) dealing with a \$450,000,000 deficit issue for the fiscal year ending September 30, 2003. An Executive Order is presented to the Legislature and voted on in entirety, yes or no. MDA is being asked to take a 2.5 percent reduction in general funds. A proposal was submitted to the Department of Management and Budget, but it is not known if the proposal was accepted.

A supplemental budget bill approving \$4.5 million for the Diagnostic Center for Population and Animal Health, the MSU Agriculture Experiment Station and MSU Extension passed the House this week.

Director Wyant participated in a National Study on Microbiological Testing Program on fruits and vegetables. There was some concern on the national level from industry about the program.

A lot has been done to clarify the protocol and the Department had some input on the formatting of the data that will be released. Industry is now more comfortable with the data being released and how it will be used. The data will demonstrate to consumers that if problems

are present, they are being addressed, and if no problems are present the data will provide background information on food safety potential.

There was a Farmland Preservation Board public meeting last week and another scheduled for next week to hear the Preservation Board proposals for criteria for local grants.

The Michigan Economic Development Corporation (MEDC) announced on December 3, the approval of five new ag processing renaissance zones. They are:

- New Era Canning Company, New Era
- Sunrise Aquaculture, Hillman
- Sub Terra, LLC, White Pine
- Zeeland Farm Services, Zeeland
- Graceland Fruit Company, Frankfort

Activities the Director has participated in since the last Commission meeting:

- Visited northeast Michigan, with Wayne Wood, MFB President and others, to meet with producers in the TB-infected area.
- Attended Farm Bill Forum hosted by Congressman Nick Smith.
- Participated in Michigan Harvest Gathering wrap-up activities.
- Met with state budget director regarding the Diagnostic Center for Population and Animal Health operations funding.
- Attended a State Fair Council meeting in Detroit.
- Met with horse industry representatives about a new race track proposal.
- Participated in MSU College of Ag and Natural Resources stakeholders meeting.
- Participated in Michigan Farm Bureau awards banquet.

### **PASTURED POULTRY PROJECT: John Durling, Michigan Integrated Food and Farming Systems**

MDA's support of this endeavor was integral in its success according to Mr. Durling. He gave a Power Point presentation on pastured poultry, stating that on-farm processed pastured poultry adds value and is profitable for small farms. It capitalizes on a growing consumer demand for this product. The process uses environmentally friendly production practices; provides healthful and nutritious products; links farmer and customer; compliments, as well as supplements, other farm enterprises, and supports local farms.

MIFFS is working on a publication entitled "On Farm Processing of Pastured Poultry, Clearing a Path for Legal Sale of Poultry Processed by Michigan Farmers". MIFFS thanked the Department for its support in the pastured poultry program.

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

Ken Rauscher explained the results of the Emerald Ash Borer survey activities in Southeast Michigan and distributed a map indicating the positive find data. A USDA Science Panel reviewed the department's initial management strategy and made recommendations for eradication of this pest. A national Emerald Ash Borer Management Board has been assembled and a draft management strategy has been developed. This strategy includes enforcement outreach, disposal of material to reduce pest population, tree removal and replacement, and further research. The plan has been submitted to USDA .

Mr. Rauscher distributed a map of management zones for the work plan for aggressive management techniques, removal techniques and eradication of the pest. He also distributed a brochure developed by the Department to help people identify ash trees. This brochure will be distributed at major retail stores that sell hunting licenses and at visitor centers.

**UPDATE ON BOVINE TUBERCULOSIS AND CHRONIC WASTING DISEASE: Dr. Joan Arnoldi, Director, Animal Industry Division**

Dr. Arnoldi reported that to date no Chronic Wasting Disease (CWD) has been found in Michigan.

There is a potential TB positive dairy herd in Alcona County. This herd was first tested in 1998, tested negative in 2000, and again in August 2001 and then in August 2002 tested possible positive. The herd is quarantined at this time, but there has been a lot of movement of animals in this herd up to this time (all within the quarantine area).

Testing continues in the free zone and in infected areas.

**2003 COMMISSION OF AGRICULTURE MEETING SCHEDULE: Robert Tarrant**

Mr. Tarrant presented meeting dates for 2003 Commission Meetings.

**MOTION: COMMISSIONER TATTER MOVED THAT THE COMMISSION ADOPT THE TENTATIVE SCHEDULE AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**RECESS**

The meeting recessed at 11:45 a.m.

## RECONVENE

The meeting reconvened at 1:05 p.m.

At this time Chair Darling introduced Representative-Elect Judy Emmons and congratulated her on her election to the House of Representatives, 70<sup>th</sup> District.

### **GAAMP SITE REVIEW COMMITTEE REPORT: Vicki Pontz-Teachout, Director, Environmental Stewardship Division; Dr. Robert von Burmuth, MSU, Department of Ag Engineering; Steve Davis, USDA Natural Resource Conservation Service**

Ms. Pontz-Teachout introduced Dr. Robert vonBurmuth and Steve Davis. Dr. vonBurmuth and Mr. Davis, along with Dr. Delbert Mokma, MSU Professor, Department of Crop and Soil Sciences formed the committee to conduct a review of conformance with the Generally Accepted Agriculture and Management Practices (GAAMP) for Site Selection and Odor Control for New and Expanding Livestock production Facilities at Karnemaat's L.L.C., Sheridan Township, Newaygo County.

The Committee report was to determine whether or not the swine production facility at the subject site meets the seasonal high water table criteria in the NRCS Waste Storage Facility practice standard.

The report states that from a soil science perspective, there is an apparent seasonal high water table at the site. From a geological engineering perspective, there is a perched seasonal high water table at the site. The subsurface drainage system will effectively remove the hydrostatic uplift pressure on the bottom of the waste storage facility, and will not place the bottom of the waste storage facility in a naturally unsaturated zone. The lowered seasonal high water table resulting from the subsurface drainage system is acting as an apparent seasonal high water table. Removing the hydrostatic uplift pressure on the bottom of the waste storage facility is the primary stated objective of the seasonal high water table criteria in the Waste Storage Facility practice standard and must be the controlling factor in the decision whether or not the facility meets the seasonal high water table criteria.

Since the subsurface system will effectively remove the hydrostatic uplift pressure on the bottom of the waste storage facility, the review committee concludes that the facility effectively meets the seasonal high water table criteria in the NRCS Waste Storage Facility practice standard.

**MOTION: COMMISSION TATTER MOVED THAT THE COMMISSION ACCEPT THE REPORT OF THE COMMITTEE AS DELIVERED AND THAT THE FINDING OF THE COMMITTEE BE ACCEPTED AS APPROVAL OF**



**THE SITE . SUPPORT. CARRIED UNANIMOUSLY.**

The Commission thanked the committee for its efforts and time in reviewing the site and compiling the report.

Mr. Karnamaat addressed the Commission and thanked them for the manner in which the GAAMP complaint was handled.

**MICHIGAN'S WINE INDUSTRY, RECENT GROWTH AND FUTURE OUTLOOK:**

**Kathy Kissman, Director, Marketing and Communications Division and Linda Jones, Grape and Wine Program Manager, Marketing and Communications Division**

Kathy Kissman stated that the purpose of the Michigan Grape and Wine Industry Council is to promote Michigan wine, fund research for continued development of wine quality, profitability, unify the industry and develop public policy that will support the industry. The Council is currently revising its strategic plan and will be asking for the Commission's input as the plan moves forward.

Linda Jones introduced the winery owners in attendance, Mark Johnson, Chateau Chantal, Old Mission Peninsula and Don Coe, Black Star Farms, Leelanau Peninsula.

Ms. Jones gave an overview of Michigan's wine industry recent growth and future outlook. She referred them to the handout for issues being pursued for growth potential. They include:

- private investment in the industry is needed
- increased market access is critical
- ease regulatory burden
- cooperative and strategic planning

The Commission thanked the Michigan Grape and Wine Council for its hospitality to the Commission during its visit to Traverse City.

**AGRICULTURE EVERY DAY, A NEW PORTAL SITE: Kathy Kissman, Director, Marketing and Communications Division**

Kathy Kissman demonstrated a new communication tool that will be introduced to the Department's website in January 2003. It is a monthly internet magazine entitled "Agriculture Every Day". Monthly themes will be tied to agriculture areas and include articles, lessons, games, statistics, and employee recognition.

**UPDATE ON MICHIGAN CONFINED ANIMAL FEEDING OPERATION (CAFO) PLAN:**

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### **Vicki Pontz-Teachout, Director, Environmental Stewardship Division**

Vicki Pontz-Teachout gave a briefing on the Michigan CAFO Plan. Approval of three documents is pending within the next week. The Regulatory Innovation Agreement is an agreement with Environmental Protection Agency (EPA) that allows Michigan to use the General Permit/MAEAP option plan to enforce the Clean Water Act. This agreement must be signed by EPA and MDEQ in order for the CAFO plan to go into effect. The second document is the Final Determination of the MDEQ Director stating how the law will be implemented. This is a legally binding document. The third is the General Permit. Public comments were received on the general permit until December 2 and public hearings were held. The MDEQ is analyzing the comments and will summarize and make changes to the permit in response on December 6. Final CAFO permit documents will be issued by December 12. On December 13, US EPA publishes its final rule for CAFOs, effective March or April 2003. It's important to have this agreement with EPA signed prior to the new rule going into effect, because it gives Michigan a five-year window of time to prove that this innovative regulation can work as well as the traditional permit approach to protect the environment.

A joint letter from directors of MDA and MDEQ will be sent to all livestock producers with general information as to what their options are, what a permit is, what their responsibilities are, deadlines and where they can get further information. They will be asked to report to MDEQ the number of animal units they have. Michigan Agriculture Environmental Assurance Program (MAEAP) Phase I Education Sessions will also be used to get information to producers.

Ms. Pontz-Teachout gave a brief overview of producer options for selecting the general permit or the Michigan Agriculture Environmental Assurance Program.

### **PUBLIC COMMENT**

Tonia Koppenaal, Michigan Farm Bureau commented on MDA funding and staffing, the Executive Order 2.5 percent budget cut, how the Department is challenged to do more with less while programs are added with no funding. She states that this has the potential for slower response to industry needs, or lack of timely information being provided. MFB realizes that priorities will be set and changes made and they are not going to get everything they've had the luxury of having in the past. She urged the Department to involve industry in discussions so they know what's coming, rather than finding out at the point when a service is cut. MFB feels the Department has been very proactive in the past with providing information to industry in all regards, and encourages that this continue.

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

**Meeting was adjourned at 2:45 p.m.**

**ATTACHMENTS**

*A - Agenda*

*B - November 6, 2002 minutes*

*C - International Marketing Program Update on Activities and Programs*

*D - Right to Farm Notification Letters: Arthur Birchmeier, Cleon Duryea and Jeanette Hayward*

*E - Director's Report December 2002*

*F - Legislative Status Report- December 2002*

*G - Profitable Poultry: Raising Birds on Pasture*

*H - Emerald Ash Borer, Pest Alert and Map of Management Zones*

*I - GAAMP Site Review Committee Report*

*J - Michigan's Wine Industry Recent Growth, Future Outlook and Wine Country Magazine*

*K - Michigan CAFO Plan Briefing*

*L - 2003 Commission of Agriculture Meeting Schedule*