

**Michigan Commission of Agriculture Meeting  
Michigan Department of Agriculture  
Constitution Hall, Con Con Conference Room, Atrium Level  
525 West Allegan Street  
Lansing, Michigan**

**MEETING MINUTES**

April 10, 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  
Ron Zellar, Assistant Attorney General  
Rob Anderson, Michigan Farm Bureau  
Bob Bender, State Bovine Tuberculosis Coordinator  
Dave Borgeson, Michigan United Conservation Clubs  
Pete Butchko, USDA Wildlife Services  
Barbara Brundige, Citizens Against the Misuse of Pesticides  
Kenneth Brundige, Citizens Against the Misuse of Pesticides  
Patty Cantrell, Michigan Land Use Institute  
Alex Draper, Michigan Deer and Elk Farmers  
Jill Haake, Michigan Farm Bureau  
Beverly Hallberg, Green River Trout Farm, Mancelona, Michigan  
Gerald Hallberg, Green River Trout Farm, Mancelona, Michigan  
Steve Hallberg, Green River Trout Farm, Mancelona, Michigan  
Matt Hare, Governor Engler's Office  
Dennis Iott, Iott Seed Farms, Kalkaska, Michigan  
Paul Jackson, Michigan Farm Bureau  
Charles Kline, Midland, Michigan  
Tonia Koppenaal, Michigan Farm Bureau  
Ben Kudwa, Potato Growers of Michigan, Inc.  
Janna Krajci, Michigan Farm Radio Network  
Dave Ladd, Office of the Great Lakes  
Dick Lehnert, Lehnert Communications  
Jim McNutt, Dodak, Kelly and Associates  
Ron Nelson, Michigan Farm Bureau  
Dr. Larry Olsen, Michigan State University  
Bridget Patrick, Department of Community Health  
Scott Piggott, Michigan Farm Bureau  
Karen Tremble, Michigan Farm Radio Network

**CALL TO ORDER AND ROLL CALL:**

Chair Darling called the meeting of the Commission of Agriculture to order at 8:00 a.m., Wednesday, April 10, 2002. Secretary Pridgeon called the roll with Director Wyant and all Commissioners present.

**APPROVAL OF AGENDA:**

**MOTION: COMMISSIONER VIAU MOVED TO APPROVE THE APRIL 10, 2002 AGENDA AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF MARCH 6, 2002 MEETING MINUTES**

**MOTION: COMMISSIONER TATTER MOVED TO APPROVE THE MARCH 6, 2002 MEETING MINUTES AS PRESENTED. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**NEXT MEETING:**

**The next regular meeting of the Commission of Agriculture is tentatively scheduled for Wednesday, May 15, 2002 and will be held at the Michigan Department of Agriculture, Constitution Hall, Con Con Conference Room, Atrium Level, 525 West Allegan Street, Lansing, Michigan.**

**MOTION: COMMISSIONER TATTER MOVED TO ALLOW DIRECTOR WYANT AND CHAIR DARLING TO DETERMINE THE NEED TO HOLD THE MAY 15, 2002 COMMISSION OF AGRICULTURE MEETING. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF COMMISSIONERS' TRAVEL AND PER DIEM:**

**MOTION: COMMISSIONER TATTER MOVED TO APPROVE CHAIR DARLING'S TRAVEL ON MARCH 18, 2002 TO PARTICIPATE IN THE MICHIGAN FARM BUREAU INNOVATION CENTER MEETING, LANSING, MICHIGAN. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**COMMISSIONERS' COMMENTS:**

**Commissioner Bill Pridgeon** reported that although the fields in his area are wet, they are preparing for spring planting.

**Commissioner Nora Viau** judged a Michigan Farm Bureau's Young Farmer's Discussion Group.

**Commissioner James Maitland** reported that after last month's Commission meeting he attended the Natural Resources Commission meeting to hear Dr. Graham Hickling's

presentation, *"Dynamics of Bovine Tuberculosis in Wild White-tailed Deer in Michigan."* Commissioner Maitland also attended the MSU President's Luncheon held during ANR Week. He participated in a monthly meeting of the fruit growers council where there continues to be concern about the marketing of apples and cherries. Commissioner Maitland also participated in a meeting on March 28, 2002 hosted by Director Wyant with the Michigan Fruit and Vegetable Advisory Committee.

**Commissioner Jordan Tatter** commented that another month has gone by and there is no indication of winter injury or spring frost/freeze damage to horticultural crops in southwest Michigan. Plant growth progression is now normal for this time of year after a decided slow down in relation to four to six weeks ago. Surface and groundwater levels in the area are improved from a year ago.

Since last month Commissioner Tatter took part in the following agriculture related activities:

- ◆ Accompanied Director Wyant to a meeting with growers of horticultural crops in Paw Paw, Michigan to listen to their concerns;
- ◆ Attended the President's Luncheon at Kellogg Center and accepted a plaque on behalf of Governor Engler that was presented by MSU President Peter McPherson;
- ◆ Attended the Natural Resources Commission meeting to observe the Bovine Tuberculosis Surveillance and Update presentation;
- ◆ Participated as a member of the MSU Southwest Michigan Research and Extension Center board of directors in the selection of the research and extension demonstration projects to be funded this year;
- ◆ Attended the Annual Rural Urban Day sponsored by the St. Joseph-Benton Harbor Rotary Club;
- ◆ Participated in the Southwest Michigan Grower Information Meeting of the Cherry Industry Administrative Board (Federal Tart Cherry Marketing Order) at which the procedure for the upcoming vote on the proposed amendments to the Order were explained and discussed;
- ◆ Attended a meeting of food processors, City of Hart and Oceana County economic development officials to discuss an apparent onerous revision of sewage treatment rates targeted at the Hart Agricultural Renaissance Zone resident firms that also would apply to any new entrants to the Zone;
- ◆ Participated in a meeting of the Economic Club of Southwestern Michigan where Tipper Gore spoke and an event at which Congressman Fred Upton announced his re-election campaign kick-off;
- ◆ Attended a monthly dinner meeting of the Michigan Frozen Food Packers Association held at Fenn Valley Vineyards Wine Cellar;
- ◆ Participated in a meeting hosted by Director Wyant with the Michigan Fruit and Vegetable Advisory Committee held in preparation for his participation in the National Fruit and Vegetable Advisory Committee's first meeting in Washington, D.C., April 16-17, 2002;
- ◆ Attended the Berrien County Lincoln Day dinner at which Bill Ballenger spoke on the upcoming Michigan election season.

Commissioner Tatter said that the proposed legislation to regulate the use of surface and groundwater in Michigan has major potential detrimental impacts on Michigan agriculture. On first reading the bills seem restrictive beyond reason. The basis of the legislative proposals should be grounded in good science and practical application not in an emotional and broad reaching legislative response to what may be local situations to which in place law may apply.

**Chair Douglas Darling** participated in the following agriculture related activities:

- ◆ The Michigan Ohio Agricultural Outlook Meeting held in early March hosted by MSU and Ohio State University. Discussions were held about the future outlook of the agriculture economy and value-added innovation ideas and programs.
- ◆ The annual meeting of the Michigan Corn Growers Association where discussions were held about the Farm Bill. Participants received an update on the ethanol plant process. Kristin Linderman and April Passuiti also spoke on Right-To-Farm issues.
- ◆ The Michigan Innovation Center partnership meeting held at the Michigan Farm Bureau.

Commissioner Darling addressed the Farmland Preservation Tour prior to the group leaving for the East Coast. He also spoke at a Michigan Farm Bureau Community Action Group meeting regarding the role and responsibilities of the Commission of Agriculture.

**APPROVAL OF CERTIFICATE OF ADOPTION FOR REGULATION 628, SEED POTATO CERTIFICATION: Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division**

**Kenneth Rauscher, Director of the Pesticide and Plant Pest Management Division**, presented and recommended Commission approval of the Certificate of Adoption for Regulation 628, Seed Potato Certification.

**MOTION: COMMISSIONER TATTER MOVED APPROVAL TO SIGN THE CERTIFICATE OF ADOPTION FOR REGULATION 628, SEED POTATO CERTIFICATION. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**LEGISLATIVE REPORT: Brad Deacon**

**Brad Deacon, Legislative Liaison**, distributed and reviewed the April 2002 Legislative Status Report.

**DIRECTOR'S REPORT: Dan Wyant**

Director Wyant requested that the Commission participate in a Senate Appropriations Subcommittee meeting to be held at 1:00 p.m. this afternoon. The purpose of the subcommittee meeting will be to discuss MDA's budget. Director Wyant distributed and reviewed his monthly activity report.

**Upcoming Commission Schedule:** Director Wyant recommended that because the Upper Peninsula State Fair will be celebrating its 75<sup>th</sup> Anniversary this year the Commission hold its August meeting in Escanaba, Michigan on August 15-16, 2002. He also recommended that the Commission revise its schedule to hold its June meeting in Livonia, Michigan on June 13-14, 2002. The Office of the Racing Commissioner would host the June meeting.

**MOTION: COMMISSIONER VIAU MOVED APPROVAL TO HOLD THE JUNE COMMISSION MEETING IN LIVONIA, MICHIGAN ON JUNE 13-14, 2002, AND THE AUGUST COMMISSION MEETING IN ESCANABA, MICHIGAN ON AUGUST 15-16, 2002. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**State Early Out Retirement** State employees who are eligible for the early retirement program will submit their application during the period of April 1-30, 2002. Those employees will then have until May 15, 2002 to reverse their decision, if desired. Early in May Director Wyant and division directors will meet to evaluate the impact of the early retirements on the department and its programs.

**Michigan Fruit and Vegetable Growers Meeting:** A meeting was held on March 28, 2002 with Michigan's fruit and vegetable growers. The purpose of the meeting was to gather input from the industry for Director Wyant's participation on the USDA Fruit and Vegetable Advisory Committee. The USDA committee's first meeting will be held in Washington, D.C. on April 16-17, 2002.

**Bovine Tuberculosis:** Copies of Dr. Graham Hickling's presentation, "*Dynamics of Bovine Tuberculosis in Wild White-tailed Deer in Michigan*" was distributed to the Commission. Significant progress has been made to date, but many challenges remain.

**Value-Added Agriculture:** MSU, MDA and the Michigan Farm Bureau are working together to better coordinate efforts and activities relating to value-added agriculture. A better job of coordinating efforts also needs to occur with USDA.

#### **UPDATE ON BOVINE TUBERCULOSIS AND ANIMAL HEALTH ISSUES: Dr. Joan Arnoldi, State Veterinarian and Director of the Animal Industry Division**

**Dr. Joan Arnoldi, State Veterinarian and Director of the Animal Industry Division**, provided an update on the following animal health issues:

**Avian Influenza:** As of this week the last quarantine has been lifted and all testing is completed. All tests have reported negative. MDA has met with the poultry industry to discuss future emergency management issues.

**Bovine Tuberculosis:** A bull in Oscoda County has tested positive for bovine tuberculosis. Final results from the National Veterinary Services Laboratory will be available later today. It appears the bull was moved without appropriate testing. MDA is continuing its investigation into the matter.

**Chronic Wasting Disease (CWD):** MDA is working closely with the DNR on a joint contingency plan for state surveillance that would include both captive and free-ranging animals.

**Dr. Doug Hoort of the Animal Industry Division** provided a power point presentation on Chronic Wasting Disease. Michigan has the tools to deal with the disease; e.g., Public Act 190 of 2000, records, fencing, identification and a contact list. It also has the experience from the bovine tuberculosis issue. A plan for Wisconsin traces to locate animals, to determine the current status of the animals, to purchase animals when practical, and to euthanize and test for CWD. There is a mandatory surveillance plan to test all death losses of animals 16 months or older, or an age determined by the state veterinarian.

The state will be asking the owners to pay for the CWD test, approximately \$18 per head. MDA will collect the samples, dispose of the heads at the Animal Health Diagnostic Laboratory, and monitor surveillance. The next step would be a CWD accreditation program, under PA 190 of 2000, that would require fence inspection, standards and records. MDA currently maintains a database that includes the owner location list and type of facilities. The

accreditation program is a five-year plan, and all death losses of animals 16 months of age or older would be checked, the establishment of herd rules, and all cervid moving instate must be covered in the monitoring program.

Dr. Hoort added that MDA, DNR, MSU, USDA, and the industry are working together in the sharing of information.

**Dr. Steve Schmitt of the Department of Natural Resources** continued the power point presentation on Chronic Wasting Disease. Since 1989, captive cervid ranches with positive elk have been diagnosed in Colorado, South Dakota, Nebraska, Oklahoma, Montana, Kansas, and Saskatchewan. All of the positive captive elk in Canada have been traced back to a single Canadian herd that received diseased elk prior to 1990 from a U.S. herd in which CWD was subsequently diagnosed. Dr. Schmitt noted that the DNR would be doing more testing than it has in the past.

Commissioner Maitland referred to the presentation given by Dr. Graham Hickling at the April meeting of the Natural Resources Commission. Dr. Hickling stated that *“current deer management has little chance of restoring Michigan’s TB free status unless there is accompanying changes in cattle management.”* Commissioner Maitland asked if a research farm should be developed in the TB area using federal grants or other funding sources to monitor the contact between free ranging deer and livestock.

Dr. Arnoldi responded that there is ongoing work being done by USDA Wildlife Services. Mr. Pete Butchko of that agency will be appearing at today’s meeting to provide information on this subject. There is also work being done at MSU on the evaluation of disease transmission by hay bales. Dr. Arnoldi agrees that more needs to be done; however, it may be beneficial to wait for the USDA Wildlife Services’ response.

**PRESENTATION OF THE DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMP): Wayne Whitman of the Environmental Stewardship Division**

**Dr. Larry Olsen of Michigan State University’s Department of Entomology and chair of the GAAMP for Pesticide Utilization and Pest Control** presented and reviewed the draft GAAMP for Pesticide Utilization and Pest Control.

Chair Darling asked that the toll-free numbers be checked for accuracy and they are consistent in all of the GAAMPs. He also recommended that “The Michigan Right to Farm Act,” narrative found on page 24 of the Cranberry Production GAAMPs be included in all GAAMPs.

Commissioner Tatter asked that the addition of committee member titles and academic credentials be included in all GAAMPs.

**MOTION: COMMISSIONER MAITLAND MOVED TO ACCEPT THE DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR PESTICIDE UTILIZATION AND PEST CONTROL AS PRESENTED AND MAKE THEM AVAILABLE FOR PUBLIC REVIEW. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**Wayne Whitman of the Environmental Stewardship Division** presented and reviewed the draft GAAMP for Cranberry Production.

**MOTION: COMMISSIONER TATTER MOVED TO ACCEPT THE DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR CRANBERRY PRODUCTION AS PRESENTED AND MAKE THEM AVAILABLE FOR PUBLIC REVIEW. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**Wayne Whitman of the Environmental Stewardship Division** presented and reviewed the draft GAAMP for The Care of Farm Animals.

Chair Darling suggested that the GAAMP Overview page include information about the right to harvest animals.

**MOTION: COMMISSIONER MAITLAND MOVED TO ACCEPT THE DRAFT GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR THE CARE OF FARM ANIMALS AS PRESENTED AND MAKE THEM AVAILABLE FOR PUBLIC REVIEW. SECONDED. MOTION CARRIED UNANIMOUSLY.**

Mr. Whitman informed the Commission that a meeting to receive public comments on these three GAAMPs has been scheduled for May 2, 2002, at 10:00 a.m., in the Lake Superior Room of the Michigan Library and Historical Center, Lansing, Michigan. Notification will be made to the public.

**APPROVAL OF CERTIFICATES OF ADOPTION: Barbara Hensinger, Director of the Fairs, Exhibitions and Racing Division**

**Barbara Hensinger, Director of the Fairs, Exhibitions and Racing Division**, presented and recommended Commission approval of the Certificates of Adoption for Regulation 851, Michigan State Fair; Regulation 808, Payment of Breeders' Awards; Regulation 814, Futurity and Sire Stakes; and Regulation 820, Michigan-Bred Pari-Mutuel Races.

Director Wyant referred to Regulation 814, Futurity and Sire Stakes, and indicated that a concern has been raised about how futurities would impact the Midland County Fair. He also asked that Mr. Charles Kline of Midland be allowed to address the Commission at this time to discuss his concerns about the regulation.

Ms. Hensinger responded that the Midland County Fair would not lose its futurity. She has had conversations with the Midland County Fair manager and there is a letter of understanding indicating that the regulation would not impact scheduling.

**Charles Kline of Midland, Michigan** expressed his concern about Regulation 814 and the new language about the transport of semen, plus a new fee requirement. Mr. Kline is asking for an explanation on why this language was added, how much the fee will be, who is going to collect the fee, and what is the money going to be used for. He also is concerned that no other state, besides Michigan, requires a fee.

Ms. Hensinger said the semen transport language was an amendment to the Racing Law in 2000 at the request of the Michigan Harness Horsemen's Association. The regulation stipulates that once the regulation is enacted an advisory board would recommend fees and submit that recommendation to the Commission of Agriculture for review and approval.

Director Wyant recommended that staff prepare a briefing paper addressing the concerns raised today and discuss that information at the next Commission meeting. He also asked that this information be shared with Mr. Kline.

**MOTION: COMMISSIONER TATTER MOVED APPROVAL TO SIGN THE CERTIFICATES OF ADOPTION FOR REGULATION 851, MICHIGAN STATE FAIR; REGULATION 808, PAYMENT OF BREEDERS' AWARDS; REGULATION 814, FUTURITY AND SIRE STAKES RACES; AND REGULATION 820, MICHIGAN-BRED PARI-MUTUEL RACES. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**DISCUSSION REGARDING THE DEVELOPMENT OF A GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICE FOR WATER USE IN MICHIGAN: Vicki Pontz-Teachout and Mike Gregg of the Environmental Stewardship Division; Ben Kudwa of the Michigan Potato Industry Commission; and Scott Piggott of the Michigan Farm Bureau**

**Vicki Pontz-Teachout, Director of the Environmental Stewardship Division** explained that today's discussion would provide some background about agricultural water use in Michigan.

**Mike Gregg, Resource Conservation Section Manager of the Environmental Stewardship Division**, distributed and reviewed information about agricultural water use in Michigan. He provided background information and talked about some of the conflicts that have developed between farmers and residential neighbors. He also discussed the legal issues noting that Michigan currently does not have any regulatory authority over the quantity of water withdrawals either from surface or groundwater sources. In addition to the farmer/neighbor conflicts, a larger Great Lakes basin legal issue is possible in the form of amendments to the Great Lakes Charter or Annex 2001.

Ms. Pontz-Teachout explained the proposed legislation. She also discussed the lawsuit filed a few years ago by the Saginaw County Public Health Department against two large potato growers. The lawsuit was filed because several residents claimed that their wells were drying up because of the irrigation. The two growers were ordered to set up a fund of \$4,000 each so that aggrieved parties, both domestic and private well owners, could assess funds to repair or replace existing wells. No one applied for these funds. Therefore, the growers have filed suit against the Saginaw County Public Health Department questioning its authority to have filed a suit originally and its authority to set up a countywide ordinance relative to irrigation. In the 1980s several townships in Huron County implemented well ordinances.

She also explained that Michigan currently does not have regulatory authority over the quantity of water withdrawals either from surface or groundwater sources. Surface water conflicts generally rely on riparian/reasonable use doctrine. She also discussed possible amendments to the Great Lakes Charter known as Annex 2001. Legal analysis, sponsored by the Great Lakes Protection Fund, indicated that the Interstate Commerce Clause and passage of GATT and NAFTA could make it legally difficult to withstand a challenge to out of basin diversion of Great Lakes waters. It also brings under question the ability of the governor of any state to veto out of basin diversion as provided under the Water Resources Development Act of 1986. Governor Engler has been active in participating in the proposed Annex 2001 amendments to the Charter and supports appropriate amendments that will preserve the in basin uses of the Great Lakes.

House Bill 5725 was recently introduced and would implement a well water permitting process administered by the Michigan Department of Environmental Quality. Senate Bills 1197, 1198,

1199 and 1200 also introduced would provide for a more broad based permitting system for all wells, new and existing, with fees and required reporting, and registration of water use.

Ms. Teachout noted that meetings have been and would continue to be held with the agriculture industry to discuss the issues and the impact on agriculture water use. Discussions will continue about how statewide standards could be established given local ordinances.

**Bob Anderson, legislative counsel with the Michigan Farm Bureau (MFB)**, agreed that this is a critical issue for the industry, with many facets to be considered. MFB has met with commodity groups and agri-business related industries to discuss ways to approach the issues of conflict and diversion. The MFB Board of Directors has issued a formal motion directing that the MFB work with the Michigan Department of Agriculture, Michigan State University, and other interested parties to explore development of Water Use GAAMPs. It also recommends that a group of producers who are irrigators or other substantial water users be organized and prepared to respond to proposed legislation that would adversely affect producers' rights to extract and use water for agriculture production purposes.

**Scott Piggott, natural resources and Right To Farm specialist with the Michigan Farm Bureau** added that the Michigan Farm Bureau has been very involved in discussions with the Governor's office, and with an advisory committee at the regional level to look at the implementation of the Annex 2001. MFB is asking for a Water Use and Agricultural Task Force to look at the implementation of a possible GAAMP for Water Use Conservation.

**Ben Kudwa of the Michigan Potato Industry Commission** supports the Michigan Farm Bureau and agrees that there is much to be gained by looking at agriculture water use. Irrigation is just one of a number of production practices that needs to be reviewed. Mr. Kudwa believes that MDA is in a position to assemble the right kind of people who possess the needed technology and expertise to look at the water use issue.

**Dennis Iott of Iott Seed Farms, Kalamazoo County**, distributed and read a statement on agriculture water use. He said that progressive potato farmers began irrigating potatoes over 50 years ago. Disruption of the water supply has a tremendous impact on the quality and quantity of a potato crop. He said that irrigation is critical to his operation. He noted that marketing, processing and retailing have been consolidated over the past few years and farms also have been consolidated into larger operations.

Mr. Iott said that Michigan growers support the following proposals:

- ◆ Concepts that improve water quality, the environment and the economy.
- ◆ Discussions regarding the development of Generally Accepted Agricultural and Management Practices for water use in Michigan.
- ◆ Causes that protect existing agricultural water uses.
- ◆ Promulgation of shared responsibility for equitable water use by establishment of a minimum state standard for residential well construction.
- ◆ Monitoring and reporting of water use.
- ◆ Reasonable permitting procedures for new well construction.
- ◆ Regulatory recognition of the aquifer variability that exists across Michigan.
- ◆ Reliance on scientific principles in the drafting of regulations.

Chair Darling recommended that MDA work with the industry and other state and federal agencies to review the impact of water use regulation on agriculture. He also asked that MDA

bring to the Commission a recommendation on whether or not a GAAMP for water use should be developed.

Director Wyant agreed with Chair Darling's recommendation, and noted that MDA recognizes the need for more data and information. He said that he has spoken with the Dean of Agriculture and Natural Resources Jeff Armstrong and there is a commitment by MSU to perform the needed research.

**APPROVAL OF COMMISSION OF AGRICULTURE RESOLUTIONS:**

Director Wyant presented for approval a Commission of Agriculture Resolution commending the Michigan State University Field Research Facility.

**MOTION: COMMISSIONER VIAU MOVED APPROVAL OF THE COMMISSION OF AGRICULTURE RESOLUTION COMMENDING THE MICHIGAN STATE UNIVERSITY FIELD RESEARCH FACILITY. SECONDED. MOTION CARRIED UNANIMOUSLY.**

On behalf of the Commission, Chair Darling presented a Commission of Agriculture Resolution honoring P. David Charney. He also expressed the Commission's appreciation for Mr. Charney's dedicated service to MDA and the Commission.

**MOTION: COMMISSIONER TATTER MOVED APPROVAL OF THE COMMISSION OF AGRICULTURE RESOLUTION HONORING P. DAVID CHARNEY. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**PUBLIC COMMENT:**

**Steve Hallberg of the Green River Trout Farm** said that last year he and his brother purchased the Green River Trout Farm in Mancelona, Michigan. Prior to purchasing the farm, Mr. Hallberg talked with the DNR to ensure that there would be no problems with permits or licenses. He was assured by the DNR that the farm had been there for over 50 years and there was no reason that Mr. Hallberg would not be granted a grandfather clause permit.

Mr. Hallberg also talked with MDA about the facility and was also told that it did not foresee any problem with receiving a license to operate the fish farm. They applied for and were granted a permit for hydraulic pumping from the DEQ.

In June of 2001 Mr. Hallberg received notification from the DNR that it was interested in purchasing the property. Mr. Hallberg indicated he was not interested in selling. However, he read later an article in a local newspaper that the DNR was targeting the farm for purchase. In the later part of July a public hearing was held and Mr. Hallberg's permit request was promptly denied. They will appeal the decision and have obtained legal counsel. Since last August they have been preparing for the case that will be heard next Tuesday. Mr. Hallberg is looking for MDA support. He believes that this is an important case that could have adverse effects on the Right-To-Farm Act.

**Pete Butchko, State Director of the USDA Michigan Wildlife Services (USDA-WS)**, said his agency's mission is to provide assistance in protecting agriculture, property, natural resources, and human health in situations where wild animals cause damage or threats to residents, industry, organizations or agencies. He distributed an informational sheet about the USDA

Michigan Wildlife Services organization. He said that the USDA-WS is assisting researchers in observing the interaction between deer and livestock in northeast lower Michigan. It is considering the option of providing fencing to producers in that area of the state as an option to address the problem of deer/livestock interaction. This option is in the developmental stages and USDA-WS is working closely with MDA, DNR and MSU-E. It may be in the position to provide about \$75,000 or more in fencing. Observations thus far indicate that the key locations to install fencing is around feed storage sites. The nose-to-nose contact in the fields is less common than in the feed storage sites.

**Alex Draper of the Michigan Deer and Elk Farmers Association** distributed and read a statement supporting a Chronic Wasting Disease (CWD) testing program that will collect data among the deer and elk farms/ranches within Michigan.

**Dave Borgeson of the Michigan United Conservation Clubs (MUCC)** said MUCC is very concerned about Chronic Wasting Disease. MUCC publishes a monthly magazine and would be willing to include updates from MDA and DNR on the issue. The MUCC Wildlife Committee is hosting a meeting next week to discuss CWD and MDA, DNR and the Deer and Elk Farmers Association are invited to attend.

**Tonia Koppenzal of the Michigan Farm Bureau (MFB)** discussed the liquid fertilizer storage regulations currently being reviewed by the industry and MDA. MFB's two major concerns are the cost to producers and ensuring that the regulations are based on the greatest risk on the farm. She also discussed amendments to the Animal Industry Act. This is an urgent matter for MFB and needs to move quickly through the legislative process. There are many herds that are at their anniversary date where testing must occur again. MFB is working with the TB Advisory Committee on alternative testing protocols for the outlying areas of the state. MFB is also working with USDA to have Dr. John Clifford visit Michigan to consider using the AuSable River as a natural boundary for zoning.

**Kenneth and Barbara Brundige of Citizens Against the Misuse of Pesticides** distributed and read a statement regarding the alleged misuse of pesticides in St. Joseph County. Mr. and Mrs. Brundige believe there is an excessive amount of pesticides being aerial sprayed and nothing is being done to monitor the air quality or the pesticides being used.

Director Wyant responded that as a result of the concerns brought to the Commission at its February 12, 2002 meeting, the Pesticide and Plant Pest Division prepared a response to the complaints. The March 1, 2002 MDA response was shared with the Commission and with Mr. and Mrs. Brundige. Director Wyant asked that Mr. and Mrs. Brundige provide him with definite specifics on where they agree or disagree with MDA's response to their concerns.

**Patty Cantrell of the Michigan Land Institute** distributed and reviewed a copy of the Michigan Land Use Institute Special Report, "*The New Entrepreneurial Agriculture.*" She explained that the report explains how communities can help farmers switch to profitable markets and reap the many benefits of working farmland.

Commissioner Tatter complimented Ms. Cantrell on the report and asked if she would consider writing an article about the recent increase in the number of small farms in Michigan as compared to national data.

**ADJOURN:**

**MOTION: COMMISSIONER MAITLAND MOVED TO ADJOURN THE MEETING AT 12:10 P.M. SECONDED. MOTION CARRIED UNANIMOUSLY.**

**ATTACHMENTS:**

*The following documentation is on file in the Commission of Agriculture office and is available upon request. Please contact Vicki Burke, Commission Secretary, Michigan Commission of Agriculture, P.O. Box 30017, Lansing, Michigan 48909, (517) 373-1085, or e-mail [burkev@michigan.gov](mailto:burkev@michigan.gov). Commission meeting minutes also can be viewed on the web [www.michigan.gov/mda](http://www.michigan.gov/mda)*

Attachment A	Commission of Agriculture March 6, 2002 Meeting Minutes
Attachment B	"Dynamics of Bovine Tuberculosis in Wild White-Tailed Deer in Michigan"
Attachment C	Certificate of Adoption for Regulation 628, Seed Potato Certification
Attachment D	Legislative Status Report – April 2002
Attachment E	Director's Report – April 2002
Attachment F	Chronic Wasting Disease Power Point Presentation – Dr. Doug Hoort, Michigan Department of Agriculture, and Dr. Steve Schmitt, Michigan Department of Natural Resources
Attachment G	Draft Generally Accepted Agricultural and Management Practices for Pesticide Utilization and Pest Control
Attachment H	Draft Generally Accepted Agricultural and Management Practices for Cranberry Production
Attachment I	Draft Generally Accepted Agricultural and Management Practices for The Care of Farm Animals
Attachment J	Certificates of Adoption for Regulation 851, Michigan State Fair; Regulation 808, Payment of Breeders' Awards; Regulation 814, Futurity and Sire Stakes; Regulation 820, Michigan-Bred Pari-Mutuel Races
Attachment K	Information Regarding Agricultural Water Use in Michigan
Attachment L	Michigan Farm Bureau Motion Regarding Agricultural Water Use in Michigan
Attachment M	Statement by Dennis Iott, Iott Seed Farms, regarding Agricultural Water Use in Michigan
Attachment N	Commission of Agriculture Resolutions
Attachment O	Statement by Alex Draper, Michigan Deer and Elk Farmers Association, regarding Chronic Wasting Disease
Attachment P	Statement by Kenneth and Barbara Brundige, Citizens Against the Misuse of Pesticides, regarding Alleged Misuse of Pesticides in St. Joseph County
Attachment Q	Michigan Land Use Institute's Special Report, "The New Entrepreneurial Agriculture"