

MICHIGAN STATE
UNIVERSITY

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Michigan Commission of Agriculture & Rural Development
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Michigan Commission of Agriculture & Rural Development

When the Site Selection GAAMP review committee met in early 2012, MDARD representatives asked the committee to further define the Site Selection GAAMP role in determining acceptable areas for siting new and expanding livestock production facilities with less than 50 animal units (AU). At that time it was reported by the agency staff that they were being asked to commit an inordinate amount of time and effort in an area, facilities with less than 50 AU, where the current Site Selection GAAMP provides no guidance. The committee attempted to address the issue within the proposed 2013 revisions which were subsequently returned to the committee for further refinement by the Ag Commission in December of 2012. The committee, and a task force of committee members, continued to work on addressing farms with less than 50 AU for the 2014 GAAMP updates and have included changes aimed at addressing the issue within the proposed revisions. While the majority of the committee members support the proposed changes they are presented with a minority of the committee in opposition and with many other committee members appreciating the opposition's concern.

Obviously the committee has struggled with this issue of small livestock production facilities in more populated areas seeking Right-to-Farm protection.

Currently the Site Selection GAAMP is applicable almost exclusively to facilities with more than 50 animal units. Land owners with smaller facilities, those with less than 50 AU, may request a proactive verification, but their facilities must meet the standards that were developed for facilities housing more than 50 AU. The 2014 revisions, if approved by the Commission, will make the Site Selection GAAMP applicable to all livestock production facilities, regardless of their size. With these revisions facilities housing less than 50 AU in Category 1 and 2 locations will be considered in conformance with the GAAMP based on size alone. New facilities in Category 3 locations will never receive verification, and existing ones only in very limited situations.

Although this solution may ease implementation issues for the department, it undermines support for smaller facilities in more populated areas. There is a significant difference between a facility with 1 or 2 AU and one which has 49. Standards for property line setbacks, number of neighboring residents, drinking water wellhead setback distances and distance to areas of high public use may all be different for these small livestock facilities. However, the proposed 2014 GAAMP



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revisions treats them all the same.

Adoption of the proposed 2014 changes will lead to the following circumstances:

- A livestock production facility in Categories 1 and 2 with less than 50 animal units is considered in conformance with the 2014 Site Selection GAAMP regardless of how close they are to their neighbors (GAAMP setbacks will not apply but local unit of government property line setbacks may).
- A new livestock production facility in Category 3 with less than 50 animal units (and as little as 1 or 2 AU) will never be appropriate regardless of any setbacks (even if they meet the same setback distances as a livestock production facility in Category 2 with up to 249 animal units - 250 feet).
- Expansion of an existing facility in Category 3 with less than 50 animal units will require local unit of government approval even if the local unit of government does not currently regulate agricultural uses.

There are three areas of discussion where the Site Selection review committee would appreciate additional clarity that would help address the issues described above.

- Within areas having a high number of residents, as described in Category 3 of the proposed 2014 Site Selection GAAMP, (areas either zoned residential or ag/residential) does the local unit of government have authority to allow for agricultural uses?
- If a local unit of government enacts zoning allowing agricultural uses in Category 3 areas, are the GAAMPs applicable in those areas or does the local unit of government have the authority to establish guidelines and standards applicable to those Category 3 areas where agricultural uses will be allowed?
- Should Right to Farm protection, through the GAAMP process, be limited to those areas that are zoned to allow for agricultural uses or should that protection be extended to those farmers in areas where local zoning does not address agricultural uses?

Answering these questions may be outside the realm and responsibilities of the GAAMP review committees. The review process for all GAAMP committees would be enhanced if answers to these three questions came from either the Ag Commission or other areas of state government.

The Site Selection GAAMP was written to provide state wide standards for site selection and construction of new and expanding livestock production facilities housing 50 or more AU within areas zoned to allow agricultural uses. The GAAMP has served well in that role providing livestock farmers clear direction in site selection for livestock facilities while protecting the character of the state's rural communities.

Currently there is a growing interest in small farms and urban agriculture. MDARD staff report handling 10 to 20 calls and emails weekly on this subject. There is no

indication this interest in food production is just a fad and will quickly fade from public interest. It seems as though it would be in the best interest of the MDARD staff and urban food producers if the Ag Commissioners and other areas of state government provided clear direction on the mechanism for developing agricultural production standards in areas zoned residential or zoned ag/residential with a high number of residents. Will it be through local zoning and locally developed production standards; or by extending the current GAAMPs to provide standards for areas of high residential numbers; or through the development of a statewide Urban Food Production GAAMP? Clear guidance from the Ag Commission and other areas of state government will enhance the GAAMP review process and make the committee's discussion more fruitful.

Sincerely,

A handwritten signature in cursive script that reads "Wendy Powers". The signature is written in black ink and is positioned below the word "Sincerely,".

Wendy Powers, Chair
Review Committee on Generally Accepted Agricultural and Management Practices
for Site Selection and Odor Control for New and Expanding Livestock Production
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