

MINUTES

JOINT MEETING OF THE NATURAL RESOURCES COMMISSION AND COMMISSION OF AGRICULTURE

AUGUST 12, 2010

ESCANABA PUBLIC SCHOOLS
1500 LUDINGTON STREET
ESCANABA, MICHIGAN

The Joint Meeting of the Natural Resources Commission and the Commission of Agriculture convened at 2:00 p.m.

Natural Resources Commissioners Present: Chairman Tim Nichols, Vice Chair Frank Wheatlake, Commissioners Mary Brown, Hurley Coleman, John Madigan, John Matonich, and J. R. Richardson.

Commission of Agriculture Commissioners Present: Chairman Todd Regis, Commissioners Don Coe, Velmar Green, Jennifer Fike, and Audrey Herioux.

DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT (DNRE) **DIRECTOR REBECCA HUMPHRIES - COMMENTS**

DNRE Structure

Director Humphries presented a status of the DNRE as well as a restructuring update. Currently, the DNRE has 2,600 full-time equivalent (FTE) positions and a \$705 million budget. Six percent of the total budget is General Fund. All other funds are revenue generated through restricted funds. She noted that the number of employees rose during the summer months due to seasonal employees. Those numbers are expected to decrease going into the fall months.

The DNRE is in the process of filling the Regional Director positions for each of the lake basin regions. Once those positions are filled, Citizens' Advisory Committees (CAC) will be established for each region, as has been done in the Upper Peninsula Region. These CACs are developed to build strong relationships with conservation partners.

Director Humphries said the DNRE and Department of Agriculture (MDA) are working in concert on various issues, and look forward to continuing that working relationship in the future.

Calhoun County Oil Spill

Director Humphries reported that on July 26, 2010, a pipeline ruptured on Enbridge Energy's Lakehead system near a pump station in Marshal, Michigan. The leaking pipeline spilled about 877,000 gallons of oil into Talmadge Creek then into the Kalamazoo River. The spill originated in a dense wooded area.

Director Humphries reviewed the clean-up process including water quality sampling, booms, and the wildlife recovery process. Many agencies, including MDA, and the Environmental Protection Agency, have been involved in the cleanup and recovery process. Two public meetings have been held in the area. She believes Enbridge Energy Corporation has done a good job in the clean-up process and said the clean-up process will take several months or even years to complete.

MICHIGAN DEPARTMENT OF AGRICULTURE (MDA) DIRECTOR DON KOIVISTO – COMMENTS

Director Koivisto reviewed the structure of the MDA, which is responsible for a wide array of programs, including food safety, animal health, plant health, weights and measures, motor fuel quality, agriculture tourism and economic development, and environmental assurance. Agriculture contributes \$71.3 billion annually to the state's economy and produces over 200 commodities, second only to California. The MDA works with 612 major food processors in the state that employ thousands of people. Agriculture has the exceptional opportunity to continue creating jobs in Michigan. The MDA works mutually with the MDNRE on a variety of issues that impact both departments. In particular, they are working together on the food processors waste water issues and the Bovine Tuberculosis concerns. Currently, the agencies are also working toward a mutually satisfactory solution to the feral swine problem. Because many of the department's programs work in concert with the MDNRE, the MDA hopes to continue working with the MDNRE on all issues of mutual concern.

Even before the first briefing for the unfortunate oil spill in Calhoun County, members of the MDA's emergency management team met with staff to plan the roles and assistance the department would provide. The MDA was instrumental in surveying and protecting Michigan's waterways, including the surface and irrigation water wells that impact citizens and the food system. They also assisted in cleaning, decontamination, and relocation of animals affected. It was an unprecedented collaborative, inter-agency incident response that represented a major effort in protecting Michigan's natural resources and agricultural interests.

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NRC Chairman Nichols recognized **Representatives Lindberg, Sheltroun and Lahti**.

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FERAL SWINE

Russ Mason, Chief, Wildlife Division, DNRE, reviewed authorities under the Natural Resources and Environmental Protection Act (NREPA) that confers certain authorities for prohibited and restricted species. He added that Governor's Executive Orders 45 and 54 of 2010 transfers the listing authority of these species (invasive species) from the NRC to the DNRE.

The NREPA states that prohibited species may not be knowingly and willfully stocked, placed, planted, released, or allowed the release of the organism in this state. Possession is prohibited except under permit subject to certain conditions. The proposed Invasive Species Order of the DNRE Director recommends adding wild boar, wild hog, wild swine, feral pig, feral hog, feral swine, old world swine, razorback, Eurasian wild boar and Russian boar (*Sus Scrofa*) to the prohibited species list. It also directs the DNRE to consult with staff from the MDA on the development of a compliance program. Listing criteria includes, among other things, a species with potential to harm human health or potentially severely harm natural resources, agricultural resources, or silvicultural resources.

Sus Scrofa (feral swine) are capable of carrying numerous diseases capable of threatening the health of humans including brucellosis, leptospirosis, salmonellosis, toxoplasmosis, sarcoptic mange, *E. coli*, and trichinosis. Diseases carried by feral swine can infect livestock, wildlife and humans. They are also under active surveillance as a possible stream for the reintroduction of two significant diseases that had been eradicated in the United States – classic swine fever and foot and mouth disease. Predation by the feral swine includes white-tailed deer fawns, ruffed grouse ring-necked pheasant, wild turkey, and waterfowl.

Estimated damage to agricultural crops and the environment is \$1.5 billion every year. The most common crops reported for damage are corn, hay and small grains. Feral swine will prey upon livestock including lambs, goats and newborn cattle. They also have caused significant damage to robust fences, increasing the agricultural costs.

Dr. Mason reviewed the disease testing activities and reviewed what other states have done relative to the feral swine. He also identified the locations of Michigan swine facilities, swine sightings, and areas of feral swine take.

Discussion ensued.

Commissioner Coe suggested clarification of the term feral swine should be made to designate animals behind fences and those outside fences, as most would not consider pigs inside fences as being feral. **Commissioner Green** added that numbers being presented by the MDNRE should be verifiable. **Dr. Mason** advised they would verify the numbers.

Commissioner Coleman asked if the feral swine are added to the invasive species list, what would that mean? **Dr. Mason** replied that DNRE staff would work with MDA to phase out the species.

Commissioner Coe asked of the estimated 3,000-5,000 hogs that are feral, how many of those are actually domestic pigs? **Dr. Mason** agreed that some domestic pigs do escape into the wild; but, it is only in the last 20 years that we have had a feral swine problem.

Commissioner Coe pointed out there currently is a sanction in place to allow for the shooting on sight of any swine running at large. **Dr. Mason** said this would not be effective in eliminating the population. **Commissioner Coe** added that the complete elimination of feral swine would require preventing any pigs from escaping. Domestic swine that escape can, over time, develop characteristics of the Russian boar. Also, the hunting facilities in this state have the right to farm with proper fencing and protection of animals. **Dr. Mason** advised the issue lies with those species that can easily adapt to the wild. The concentrations of sightings have been near hunting operations, not commercial.

Commissioner Regis requested a history of the feral swine actions between the two departments.

Director Humphries noted that in April, 2007, the Commission of Agriculture and NRC passed a joint resolution regarding feral swine. She said the proposed addition of feral swine to the Invasive Species Act, is not intended to negatively impact the agriculture community, but to control feral swine. She believes that neither Commission nor Department want these animals roaming in the wild. The question is how to achieve that. It is time to take a hard look at how to eradicate feral swine from running loose in Michigan. Further dialogue between the two departments is necessary.

Commissioner Madigan asked who currently does compliance monitoring on captive feral swine facilities? **Director Humphries** responded the MDA has some disease monitoring responsibilities. All other issues are under the DNRE purview. The DNRE does not, however, have jurisdiction over fencing of swine.

Director Koivisto advised there has been a void in regulations for the hunting operations for which we need legislative action as soon as possible. However, any such legislation would be negated by any invasive species order. All of the various issues involved need to be considered. Most of the hunting facilities are

secure, such as the operators present at the meeting. The operators have secure fencing and animal health and testing programs in place, and have no history of escape. The bad actors who do not properly secure their facilities are the major problem. Regulations for the entire industry will prevent escape of any animals. Agriculture clearly understands the risk that feral swine, wolves, deer, etc., pose to the agriculture industry and agrees we need to deal with animals outside of the fence, running at large. The MDA is ready to work together to develop a solution.

Commissioner Wheatlake stressed the importance of preventing the escape of feral swine into the wild.

Commissioner Coe said the Commission of Agriculture and staff visited a hunting camp that houses several different species. He said it is the animals outside the fences that need to be dealt with through regulations. A solution needs to be found and the MDA and DNRE will work together on that solution.

Chairman Regis said the Commission of Agriculture has some issues with the proposed Invasive Species Order. He said a timeframe should be established for the enactment of legislation for regulating the swine shooting and breeding facilities prior to issuance of an Invasive Species Order. **Commissioner Coe** stressed the importance of protecting the interest of the farming community.

Director Humphries said numerous individuals were signed up to discuss this issue during the public comment period later in the NRC meeting and the DNRE and MDA, and the Commissions would remain in contact on this issue in the future.

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Chairman Nichols noted that **Brian Wildey, from the Governor's Upper Peninsula Office** was present.

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AQUACULTURE

Mike DiBernardo, Economic Development Specialist for MDA, advised aquaculture today is a small industry comprised of small producers in Michigan. However, the potential of the industry in Michigan is much greater than its current size and capacity. Because awareness and perception of the industry are not where they need to be, strategic partnerships are very important to its growth.

Shrimp is currently the number one consumed seafood in the nation and the U.S. imported over 1.3 billion pounds of shrimp in 2008, valued at \$3.8 billion. There exists a foundation for new industry in Michigan with potential for production of

five million pounds per year within five years. With a potential for production of one billion pounds per year within 15-20 years in the U.S., this new product would inject more than \$4 billion into the U.S. economy annually.

Opportunities for aquaculture in Michigan include proximity to large market areas, a demand for safe and locally produced fish, supply of water, possible diversity of species, modern production techniques, new products and by products, available resources, and vertical integration/partnerships. Some barriers that exist include Michigan's business environment, processing infrastructure, negative perceptions of health issues, awareness, marketing capacity, environmental concerns, and access to investment capital.

A significant opportunity exists for Michigan's economy through the aquaculture industry. The following recommendations are made: work on regulatory policies and procedures; create a package of materials to promote aquaculture investment built on information about technologies, market preferences, and societal needs and concerns; develop value-added marketing; and renew and refocus existing partnerships and relationships based on changes (resources, priorities, capabilities) within agencies, organizations, and universities.

Kelley Smith, Chief, Fisheries Division, DNRE, said the DNRE has two roles in the aquaculture issue: 1) what species are being reared and are they appropriate species for Michigan waters; and 2) stocking of fish in Michigan waters in coordination with disease issues.

The DNRE and MDA have agreed to work together on this issue via a joint work group consisting of both departments and the private sector.

DEER MANAGEMENT PLAN

Director Humphries said since the two Commissions were together it was an opportune time to discuss deer management issues.

Russ Mason said three regional deer advisory teams were being developed in Michigan. These teams will consist of representatives from hunting groups, those who have memoranda of understanding, forest management, wildlife, and others. Nominations will be taken soon. These advisory teams will develop consistency in addressing deer management issues. **Director Humphries** would welcome MDA staff to participate on these teams.

The MDA provides deer damage resolutions for free to those who need assistance. Assistance includes: out-of-season hunting permits; consultation to producers, shell crackers, continued availability of early antler seasons, and a later antlerless season. Up to five permits per day can be purchased, but only 10 percent of these permits were sold. **Russ Mason** said that Wildlife Division, the Michigan United Conservation Clubs, and Michigan Farm Bureau continue to

develop means of access to meet deer population objectives through deer management assistance permits (DMAPs). Wildlife Division is looking at the possibility of issuing DMAPs for species other than deer.

Chairman Regis said if there is anything MDA or the Commission can do to assist; they are willing to do so.

“FOR 2 CENTS A DAY”

The Michigan Department of Agriculture shared a video recently produced by the Michigan Farm Bureau entitled “This is MDA” which showcases all of the ways the Michigan Department of Agriculture impacts the everyday lives of Michigan’s citizens. The video can be viewed on the department’s web site at www.michigan.gov/mda.

GENERAL COMMENTS

Chairman Regis said he believes the joint meetings of the NRC and Commission of Agriculture are beneficial and recommended that the Commissions meet annually. He thanked the Commissioners Richardson and Madigan for hosting a social event on Wednesday evening at the State Fair Pocket Park and thanked those in attendance at the meeting for coming.

Chairman Nichols said he too was pleased to have held this joint meeting and that it was very beneficial.

The joint Commissions’ meeting adjourned at 4:08 p.m.