

MICHIGAN COMMISSION OF AGRICULTURE AND RURAL DEVELOPMENT

Meeting Held via Remote Technology

MEETING MINUTES

January 20, 2021

PRESENT:

Dru Montri, Vice Chair, Michigan Commission of Agriculture and Rural Development
Charlie Meintz, Secretary, Michigan Commission of Agriculture and Rural Development
Patricia Bergdahl, Michigan Commission of Agriculture and Rural Development
Tim Boring, Michigan Commission of Agriculture and Rural Development
Cheryl Kobernik, Michigan Commission of Agriculture and Rural Development
Gary McDowell, Director, Michigan Department of Agriculture and Rural Development

CALL TO ORDER AND ROLL CALL

Vice Chairperson Montri called the meeting of the Commission of Agriculture and Rural Development to order at 9:05 a.m. on January 20, 2021, recognizing the importance of today being Presidential Inauguration Day. She advised today's meeting is being conducted via remote technology to protect the health of Commission members, the state, and the public due to the Coronavirus by limiting the number of people at public gatherings. She announced that all decisions today will be made by roll call vote and shared details on how the public comment period would be conducted.

Vice Chairperson Montri called the roll with the following Commissioners present: Commissioner Bergdahl in Skandia, Michigan; Commissioner Boring in Stockbridge, Michigan; Commissioner Meintz in Stephenson, Michigan; Commissioner Montri in Bath, Michigan; and Commissioner Kobernik in Frankfort, Michigan. Director McDowell, in Rudyard, Michigan, was also present.

The Director welcomed Commissioner Kobernik, who was appointed to the Commission effective January 1, 2021. Commissioner Kobernik shared details around her background and advised she is looking forward to working with the department.

APPROVAL OF AGENDA

MOTION: COMMISSIONER MEINTZ MOVED TO APPROVE THE MEETING AGENDA FOR JANUARY 20, 2021, WITH THE REMOVAL OF THE ACTION ITEM FOR COMMISSION TRAVEL. SECONDED BY COMMISSIONER KOBERNIK. MOTION CARRIED BY ROLL CALL VOTE.

APPROVAL OF NOVEMBER 5, 2020, MEETING MINUTES

MOTION: COMMISSIONER BORING MOVED TO APPROVE THE NOVEMBER 5, 2020, MEETING MINUTES. SECONDED BY COMMISSIONER MEINTZ. MOTION CARRIED BY ROLL CALL VOTE.

NEXT SCHEDULED MEETING

The next scheduled meeting is March 10, 2021.

COMMISSIONER COMMENTS

Commissioners shared information relative to their farm operations, as well as agriculture in their respective areas. By way of introduction to Commissioner Kobernik, each of the other Commissioners also shared details around their farm operations.

COMMISSIONER ISSUES

Commissioner Montri advised the Commission is needing to fill its positions of Secretary, Vice Chair, and Chair for 2021.

MOTION: COMMISSIONER BERGDAHL MOVED TO NOMINATE COMMISSIONER MONTRI AS CHAIR, COMMISSIONER MEINTZ AS VICE CHAIR, AND COMMISSIONER BORING AS SECRETARY OF THE COMMISSION FOR 2021. COMMISSIONER KOBERNIK SECONDED. MOTION CARRIED BY ROLL CALL VOTE.

DIRECTOR'S REPORT

Director McDowell mentioned recent key staffing changes in the Michigan Department of Agriculture and Rural Development (MDARD), including Sylvia Renteria, Jamie Zmitko-Somers, Mike Wozniak, and Molly Mott-Oosting. He also recognized Peter Anastor, who will be leaving the department on January 22. Mr. Anastor shared remarks around his time with the department and his future with the Michigan Department of Transportation.

The Director shared details around MDARD's return to work efforts and the Diversity, Equity, and Inclusion (DEI) Strategic Plan. He also mentioned the Ag Housing Task Force Report and Midwest Agriculture Directors discussions.

He noted highlights of the department's 2020 accomplishments, adding he is incredibly proud of what MDARD staff have been able to achieve despite the challenges of the pandemic. Looking to 2021, the department will be placing special emphasis on pandemic recovery, climate change, housing and workforce initiatives, and rural development opportunities. He announced the Governor is establishing an Office of Rural Development which will be housed at MDARD.

On behalf of the Commission, Commissioner Montri echoed the Director's congratulations relative to recent staff positions, as well as appreciation to Peter Anastor.

Commissioner Meintz shared comments around the opportunities and excitement the department has been able to develop through expansion of agriculture in Michigan.

In response to question from Commissioner Kobernik, the Director advised DEI training will be made available to the Commissioners in the near future.

In response to question from Commissioner Boring, the Director advised the Office of Rural Development is conceptual at this point and as details become available, they will be shared with the Commissioners.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

There was no public comment relative to agenda items.

PROPOSED 2021 GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES (GAAMPs): Jim Johnson, Division Director, and Mike Wozniak, Right to Farm Program Manager, Environmental Stewardship Division; and GAAMP Task Force Committee Chairs

Mr. Johnson noted the Right to Farm (RTF) Act gives the Commission of Agriculture and Rural Development responsibility for the Generally Accepted Agricultural Management Practices (GAAMPs) which RTF staff use to determine compliance with the conditions necessary under the RTF Act. The Act dictates the GAAMPs be reviewed annually by the Commission and revised as considered necessary. The proposed 2021 GAAMPs were introduced in November and today, Commissioners have the opportunity to ask questions and ultimately make a decision about each of the eight GAAMPs as presented. He expressed appreciation and gratitude to the GAAMP Committees for the extensive amount of work they accomplished reviewing the documents to ensure these standards reflect the very best in managing appropriate farming practices that address nuisance conditions.

Mr. Wozniak introduced Dr. Steve Safferman, Chair of the Manure Management and Utilization GAAMP. Dr. Safferman provided an overview of the proposed changes in the 2021 Manure GAAMP, which included several basic reference updates and an addition to Table A4. Regarding manure storage structure changes or new installations relative to setback distances, the Committee determined these issues would be incorporated into the Site Selection GAAMP. In response to public comment, major efforts going forward will include definition of any vague wording to ensure support by science and winter manure spreading.

Commissioner Montri requested that going forward, each GAAMP Task Force Committee Chair update references to current science and foundational studies.

In response to question by Commissioner Meintz, Dr. Safferman confirmed the Committee will be working to revise any vague language to prevent misinterpretation.

In response to inquiry by Commissioner Meintz, Dr. Safferman advised the Manure Management and Site Selection GAAMP Committees work closely on the manure storage topic and the only change recommended is that new or changes to manure storage structures go to the Site Selection GAAMP and any existing manure storage remains in the Manure GAAMP.

Commissioner Boring recommended the GAAMP Committees include documentation of where science does not necessarily support more definitive actions to help provide guidance on where more research is required moving forward.

MOTION: COMMISSIONER MEINTZ MOVED TO APPROVE THE 2021 GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR MANURE MANAGEMENT AND UTILIZATION WITH CHANGES AS PRESENTED AND DISCUSSED. COMMISSIONER BORING SECONDED. MOTION CARRIED BY ROLL CALL VOTE.

Mr. Wozniak introduced Dr. Dale Rozeboom, Chair of the Site Selection and Odor Control for New and Expanding Livestock Facilities GAAMP. Dr. Rozeboom reviewed the proposed changes to the 2021 Site Selection GAAMP, noting they are the culmination of several years of Committee discussion, including revisions to definitions, textual improvements, and the addition of the section, "Manure Storage Structure Change or Installation."

Commissioner Montri thanked Dr. Rozeboom and recommended the other GAAMP Committees also document the date of their meetings, who attended, a brief discussion summary, and delineation of decisions or actions made.

Commissioner Meintz expressed concern of apparent inconsistency around documentation for the manure storage setback distance. Dr. Rozeboom explained in detail how the committees considered and determined the setback distance. Considerable discussion followed. Commissioner Meintz recommended striking that language until it can be written more appropriately. Mr. Wozniak advised the department has no concerns relative to the proposed changes. Commissioner Montri requested that additional clarity be provided in the future GAAMP.

Commissioner Montri also recommended "AU" be spelled out consistently throughout the GAAMP to clarify it represents Animal Units.

Relative to new language "in current land use" on page 10, Commissioner Montri asked if that creates confusion relative to zoning. Dr. Rozeboom advised the section was revised to provide clarity, with no intent relative to zoning. He agreed those words could be deleted and Commissioner Montri requested that action in the future GAAMP.

Commission Montri confirmed, even though the GAAMPs are reviewed and considered annually, any of the GAAMPs can be revisited at any point in time during the year.

MOTION: COMMISSIONER BORING MOVED TO APPROVE THE 2021 GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR SITE SELECTION AND ODOR CONTROL FOR NEW AND EXPANDING LIVESTOCK FACILITIES WITH CHANGES AS PRESENTED AND DISCUSSED. COMMISSIONER KOBERNIK SECONDED. COMMISSIONER MEINTZ VOTED NO. MOTION CARRIED BY ROLL CALL VOTE.

Mr. Wozniak advised Commissioner Meintz would be more than welcome to attend any of the Site Selection Task Force Committee meetings to continue discussion of his concerns.

Mr. Wozniak introduced Dr. Janice Swanson, Chair of the Care of Farm Animals GAAMP Task Force Committee. Dr. Swanson provided an overview of the recommended changes for the 2021 Care of Farm Animals GAAMP, as well as revisions that will be considered for next year.

MOTION: COMMISSIONER BORING MOVED TO APPROVE THE 2021 GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR CARE OF FARM ANIMALS WITH CHANGES AS PRESENTED AND DISCUSSED. COMMISSIONER MEINTZ SECONDED. MOTION CARRIED BY ROLL CALL VOTE.

Mr. Wozniak introduced Dr. Ron Goldy, Chair of the Farm Market GAAMP Task Force Committee. Dr. Goldy reviewed proposed changes for the 2021 Farm Market GAAMP, noting issues with this GAAMP generally arise from local units of government.

Commissioner Montri requested as the Committee prepares for next year, they consider reconfiguration of the second sentence in the "Use of Space" section into two separate sentences for improved readability and clarity.

Commissioner Meintz expressed appreciation to Dr. Goldy and his committee for the excellent work they accomplished with the complete rewrite of this GAAMP.

MOTION: COMMISSIONER BERGDAHL MOVED TO APPROVE THE 2021 GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR FARM MARKETS WITH CHANGES AS PRESENTED AND DISCUSSED. COMMISSIONER KOBERNIK SECONDED. MOTION CARRIED BY ROLL CALL VOTE.

Mr. Wozniak advised only minor reference and grammatical changes are proposed for the remaining GAAMPs. He introduced Dr. John Wise, Chair of the Pesticide Utilization and Pest Control GAAMP Task Force Committee, Dr. Tim Harrigan, Chair of the Nutrient Utilization GAAMP Task Force Committee, Dr. Tim Miles, Chair of the Cranberry Production GAAMP Task Force Committee, and Lyndon Kelly, Interim Chair of the Irrigation Water Use GAAMP Task Force Committee. The chairs are available for any questions by the Commissioners today.

Relative to the Nutrient Utilization GAAMP on page 12, Commissioner Montri suggested "froze" should be "frozen." Dr. Harrigan confirmed that change should be made.

Commissioner Montri observed in the Cranberry GAAMP, an update to the Chair needs to be made. In addition, she suggested where reference is made to informational maps that identify land in Michigan considered suitable for cranberry production, links to those maps be included in the GAAMP in the future.

MOTION: COMMISSIONER BERGDAHL MOVED TO APPROVE THE 2021 GENERALLY ACCEPTED AGRICULTURAL AND MANAGEMENT PRACTICES FOR PESTICIDE UTILIZATION AND PEST CONTROL, NUTRIENT UTILIZATION, CRANBERRY PRODUCTION, AND IRRIGATION WATER USE WITH CHANGES AS PRESENTED. COMMISSIONER MEINTZ SECONDED. MOTION CARRIED BY ROLL CALL VOTE.

RECESS AND RECONVENE

Chairperson Montri recessed the meeting at 11:10 a.m. for a brief break. She reconvened the meeting at 11:20 a.m.

FRESH WATER PROTECTION FUND: Jim Johnson, Division Director, Environmental Stewardship Division

Mr. Johnson reported reauthorization of the Michigan Fresh Water Protection Fund is a goal of the division, as it is due to sunset on December 31, 2021. It is a restricted revenue fund utilized to operate the state's proactive Michigan Agriculture Environmental Assurance Program (MAEAP) that results from fees Michigan farmers pay on pesticides and fertilizers. He reviewed details of MAEAP Advisory Council (AC) discussions with stakeholders that are ongoing to develop the new program. After recommendations are approved by the Director, the Legislative process will ensue.

In response to question from Commissioner Boring, Mr. Johnson advised cost share availability would be minuscule in relationship to what is provided at the federal level. However, there may be an opportunity to augment what the federal government is already providing. Commissioner Boring pointed out, as we highlight the need for additional research, some of these funds could provide that needed component. Mr. Johnson confirmed that reestablishment of the research fund has been an important part of the MAEAP AC discussions.

Commissioner Montri noted part of the investment is building a MAEAP database to evaluate success of the program. Mr. Johnson reported the initial version of the database will be implemented next month.

In response to question by Commissioner Montri, Mr. Johnson advised in preparation for the legislative process, stakeholders are having conversations with legislators and Mr. Kark has been participating in MAEAP AC meetings.

Commissioner Kobernik emphasized how MAEAP has been accepted and now welcomed by the agricultural community over the last decade, thanks to the expert work of MDARD's staff with farming operations.

MICHIGAN POVERTY TASK FORCE UPDATE: Lori Yelton, Nutrition Consultant, Food and Dairy Division

Ms. Yelton advised Governor Whitmer's Executive Order 2019-19 created the Michigan Poverty Task Force on December 18, 2019, with 14 state departments being tasked with developing an anti-poverty agenda for Michigan. Strategies were determined to reach the goal of expanding and creating anti-poverty programs and policies. They adopted the United Way definition of ALICE (asset limited, income constrained, but employed) population to help define who needs assistance. In Michigan, about 14 percent of our population is at or below poverty and 29 percent meet the ALICE population level.

MDARD programs were examined, with offerings including grants, food assistance, training and education, work safety, and mediation. The Task Force established several workgroups, including Strong Beginnings, Safe and Secure, Removing Barriers to Economic Mobility, and Providing Opportunity Workgroups to identify programs. Once programs were identified, smaller groups were created, Benefits, Criminal Justice, Economic, Education, Health, Housing, and Safety Issue Groups to make policy recommendations. Details around goals of each of the groups were reviewed.

The Issue Groups met through the summer of 2020 and produced 32 policy-program recommendations, which comprise the first anti-poverty agenda for Michigan with the goal of presentation to the Governor on January 13, 2021, which will be released to the public soon. The Commission requested Ms. Ayers forward those recommendations to them as soon as available.

Commissioner Montri advised the Institute of Agriculture and Technology two-year certificate programs at Michigan State University that operate in partnership with 12 community colleges are currently not eligible for the state programs because of a technicality and hopefully ongoing conversations will change that in the future.

Commissioner Montri ask if there were any overlap or discussions between the Poverty Task Force and the Food Security Council. Ms. Yelton advised that collaboration has occurred and anticipates it will be ongoing.

BUDGET UPDATE: Sylvia Renteria, Director of Finance and Budget

Ms. Renteria shared details of her background and advised she is excited to be a part of MDARD. Budget development is in process, with the January Revenue Estimating Conference occurring on January 15. The Executive Recommendation is slated for release in February, and she will share details during the March Commission meeting.

Going forward, she emphasized her commitment to open communication, financial and budgetary support, and collaboration and partnership.

LEGISLATIVE UPDATE: Nathan Kark, Director of Policy Development and Legislative Affairs

Mr. Kark referred to the MDARD Legislative Update provided to the Commissioners and reviewed highlights of bills that moved forward during the lame duck legislative session, including the Drain Code, Propane Commission, Open Meetings Act amendment, and Public Health code amendment.

Bills not having moved forward have expired, although some may be reintroduced by the 101st Legislature. The department continues to work on changes around regulation of industrial hemp, the Fresh Water Protection Fund, and the Food Law.

In response to questions from Commissioner Montri, Mr. Kark advised committee assignments should be announced soon. Relative to recent media around regulation of commercial fish producers, he is aware but has not been part of any policy-making conversations with the Michigan Department of Natural Resources.

PUBLIC COMMENT

No public comment on non-agenda items was requested.

ADJOURN

MOTION: COMMISSIONER MEINTZ MOVED TO ADJOURN THE MEETING. COMMISSIONER BERGDAHL SECONDED. MOTION CARRIED BY ROLL CALL VOTE.

There being no further business, the meeting adjourned at 12:10 p.m.

Attachments:

- A) *Agenda*
- B) *Agriculture and Rural Development Commission Meeting Minutes November 5, 2020*
- C) *Director's Report*
- D) *2021 GAAMPs Public Input Meeting Report and Public Comments*
- E) *2021 Draft GAAMPs*
- F) *Michigan Poverty Task Force Update*
- G) *MDARD Budget Update*
- H) *Legislative Status – January 12, 2021*