

Wisconsin Tribal Conservation Advisory Council Meeting Minutes
Tuesday, May 11, 2010
Forest County Potawatomi Community

Meeting called to order by Jonathan Pyatskowitz.

1. Roll Call

Present: FCPC (Nate Guldan), Menominee (Jonathan Pyatskowitz), LCO (Brett McConnell), St. Croix (Tony Havranek), Bad River (Pam Roberts, Lori Lemieux), Stockbridge-Munsee (Bob Frank), Ho-Chunk (Sara Schmidt), Oneida (Pat Pelky, Tony Kuchma)

Others Present: Jerry Thompson (WTCAC Program Manager), Greg Yakle (NRCS), Keith Sengbusch (NRCS), Tom Melnarik (NRCS), Susan Hunter (FSA), Ivan Dozier (NRCS), Tom Krapf (NRCS), Tony Bush (NRCS), Sherrie Zenk-Reed (NRCS), Dr. Tim Deveau (APHIS), David Armstrong (Judicare, arrived later in the morning)

2. Approval of Agenda

MOTION: Motion to approve agenda. Motion by Oneida, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

3. NRCS Update

Ivan Dozier, Acting Wisconsin State Conservationist and Illinois State Conservationist, gave the NRCS update. They are a little over half way done with the year; most of the funds have been obligated within their programs. Wisconsin requested more funding for EQIP, WHIP, Grassland Reserve Program and Wetland Reserve Program (WRP) because all of the initial allocation was used. The Conservation Stewardship Program (CSP) is still up in the air, the ranking cutoff is June 11. CSP is really starting to gear up so make sure anyone that is interested can get application in and ranked by June 11. Don Baloun is now State Conservationist in Minnesota. Don's position is already advertised. Pat Leavenworth is scheduled to come back to Wisconsin on June 7. She sends her wishes. They have nominated this group for a USDA honor award. They should know in about 2 weeks how the nomination goes; they think we deserve national recognition. If we won, WTCAC members would be invited to an awards banquet in DC.

Tom Krapf - The money NRCS received for the Great Lakes Restoration Initiative (GLRI) for this year went into the EQIP and WHIP programs. The EQIP funds were only for the Lower Fox and Manitowoc-Sheboygan watersheds. For next year, we could compete for WHIP funds and focus on invasive species and it may fit nicely into what we want to do. A Tribe in Michigan is using the GLRI funds to assist with the removal of dams on a trout stream. They would run the money through the regular programs, so for us there would be no reporting differences. NRCS is under more scrutiny to report to USEPA. There are some technical assistance dollars with this as well (10%).

4. Invasive Species Subcommittee Update

The Invasive Species Subcommittee met on May 10 and Tony Kuchma gave the update. Jerry started working on this 2 years ago, the first thing we want to do is gather all the information the Tribes have from small projects and other sources. Essentially we need to gather it and look at it to see if it fits with what we need. Tribes will be submitting info and they will get it to Jerry and Greg. It looks like language in WHIP allows for the treatment of invasive species and we were looking at Wetland Wildlife Habitat Management (644) and Upland Wildlife Habitat Management (645) in WHIP so that it could be covered in EQIP as well. The flat rates appear to fit what is actually needed. WTCAC would like to see invasive species management under EQIP by amending Pest Management (595) to allow for invasive species treatment. Right now the way the manual reads treatment of pests under 595 is solely for crop production. Bring to NRCS how we want to use this and the clearest example that we can, give them specific scenarios. An example of this would be treating milfoil in rice beds. It was pointed out that NRCS could possibly increase WHIP allocations through GLRI for invasive species. Jerry discussed the Technical Note, he indicated that you can sign up for 595 in EQIP to look at the issues you have. NRCS would have to get Headquarters to approve a waiver for Tribes to use EQIP for invasive species treatment. A question was posed wondering if EQIP could be used for invasive species treatment in 644 and 645 if the cultural angle is used. NRCS thinks 644, 645, and Forest Stand Improvement (666) would be the best way to go to get invasive species treatment in EQIP. We need to get NRCS a good sketch of what the potential scenarios would be. It was thought that we should get away from 595 because of the crop production issue.

NRCS is going to verify whether or not GLIFWC could receive EQIP and WHIP funding for work in the ceded territory. It was thought that as long as they are a designated eligible operator, they would be eligible. GLRI money needs to be for a very specific project (i.e. a small watershed, small area, not just the entire northern part of the state). Who would actually sign up? For example, could it be GLIFWC signing or would a Tribe need to sign on behalf of GLIFWC, they need to check in GLIFWC's eligibility.

WTCAC needs to get NRCS info on extra WHIP money we could use next year so then they can promote it and try to get GLRI funds to cover it.

WTCAC has to show a need for WHIP funding so we can get it increased. They can increase WTCAC's WHIP allocation if we show an increased demand.

It was determined that woody invasives would already be covered under brush management.

5. Approval of Minutes

MOTION: Motion to approve March 4, 2010 minutes. Motion by LCO, seconded by Stockbridge-Munsee. All ayes, zero opposed, motion carried.

6. APHIS Update

Dr. Tim Deveau - Someone from JoAnn's staff was supposed to bring EAB traps up (he did show up and dropped off the traps). APHIS has cooperative agreements with 6 Tribes: Stockbridge-Munsee, FCPC, and St. Croix are all part of the WTCAC VHS Agreement, FCPC and St. Croix also have a CWD agreement, Menominee has VHS and CWD agreements.

A study was done in Lake Huron, Ontario and Erie and is showing that VHS is more prevalent in Great Lakes and healthy fish more than anyone expected. It has probably been around for a decade or more already. They have found that it is equally distributed everywhere, there was no noted increased prevalence in shipping harbors being it may have come from ballast. They have also found that VHS is not just associated with major die offs. It may be a contributing factor to disease but not the only thing that is there. They will also be doing a study in Wisconsin. VHS has never been shown to contribute to any health problems in humans and has never been documented in any species other than fish. It could be in leeches and amphibians. Zebra mussels may be concentrating the virus.

7. WTCAC VHS Update

St. Croix, FCPC, Stockbridge-Munsee are participating. Stockbridge-Munsee has 6 water bodies they will be sampling this fall. St. Croix had 6 water bodies and had to do an amendment on 2 of them. They swapped out St. Croix River for Clam Lake. DNR was testing Minong flowage so they swapped it with Sand Lake. FCPC has completed sampling on 4 lakes. WTCAC is using the University of MN Veterinary Lab for sample analysis. They didn't require money upfront, less expensive, and easier to schedule fish delivery's with. The Lacrosse lab wanted 2 – 3 weeks' notice. We have not had any problems with the lab. They will set up a database for us on U of M website, nothing posted yet. By end of May all spring test results will be in. We will get passwords for database. WTCAC now has an account with FedEx. Please get Jerry VHS spreadsheet data.

8. Farm Service Agency

Susan Hunter from FSA gave an update. Brad Pffaf had planned to attend; he indicated to her that he was honored to be on agenda. She passed around a packet of info giving an overview of programs. Conservation Reserve Program (CRP) signup is this June. Biomass Crop Assistance Program (BCAP) final rules are not out yet. Final rules will probably be out this fall. This program is for the collection, harvest, and storage of biomass. They have a Rural Youth Program for ages 10 – 20 and a financial training for Tribal youth. She handed out information on these programs and asked us to get the information to youth directors. Right now their programs are very tied to traditional agriculture. Get in contact with her about anything, community gardens, etc. Susan may become FSA Tribal Liaison. Put Susan on the agenda for all upcoming meetings.

9. NRCS Staff that Provides Tribal Assistance

Jonathan had talked to Pat Leavenworth about this in the past. It deals with Keith's pending retirement; it has worked out well having someone with high engineering

authority to work with the Tribes on developing standards and technical recommendations. Could there be some overlap before Keith retires so the new staff can be brought up to speed? Randy had been doing a lot of the I and E work in the field working in conjunction with Keith who focused more on engineering aspects and Randy focused on the Agronomic issues (Invasive Species and Wild Rice). Tom Cogger will be out the door in June (he essentially is already, on permanent leave until he retires in June). Keith not sure who would do sign offs after he retires. Keith indicated that when he and Randy worked together as a team it functioned very well. Ivan said they will start working on this; we should bring forward to our meeting in June as well. Pat Pelky asked if it would help for us to send a letter to DC to ask for them to fill Keith and Randy's positions.

10. Other TCACs

Jerry got an email from INCA and the Arizona Tribes. The Arizona Tribes are now petitioning their State Conservationist to form a TCAC. They had asked if we could help provide them training.

11. NRCS Soil Data Viewer

Chris Borden - 1.5 to 2 years ago he and Randy spoke to us about access to the soil data. There is a product that was developed by NRCS to give non-NRCS users access to soils in a GIS environment. It works with all ArcGIS products. If we are interested in NRCS soil scientists giving us training then send letter to Pat Leavenworth and Carl Wacker, NRCS State Soil Scientist. It is called Soil Data Viewer.

12. WTCAC Funding

Jerry Thompson - We were supposed to be notified last week about the 2501 grant award, Jerry has not heard anything. Jerry sent an email this morning and Pat Leavenworth just responded. She has had no word at this time but she thinks the Secretary should be a making an announcement any day. The proposal was for 3 years. It included meeting costs, student program, special project funds, ½ time program manager, outreach to other Tribes, website. The request was for \$660K for 3 years.

GAP may not be a good idea. It would take away GAP funds from Tribes in Region 5. There may be funds on the national level.

Bob discussed getting Tribal council leaders to make a push to get Gaming Compact dollars for WTCAC. A lot of money goes to the state that should come back to the Tribes. Each Tribe is different with their compacts in the state. Pat Pelky has a list of where compact funding is going. He will send out the list.

13. Technical Recommendations

1) Keith has been working with St. Croix looking to put a package together for Fish Pond Management (399), Fish Raceway or Tank (398), and Aquaculture Ponds (397). They have data from Michigan and how they broke practices down into scenarios and funding. St. Croix has an existing site that needs repair.

2) Invasives

3) Scenario for stream crossing practice to entail larger pipes than is now in the practice. Roman is crunching the numbers on it. The size of the pipe was larger than the size outlined in the practice. Fish passage practice. Try to get fish passage into EQIP.

4) Organic netting (coir fabric) – organic jute netting

5) Access Control for vehicles – what are the dynamics of what we can do in the standard

6) Fish Cribs

7) Replacement for Keith

8) Fencing

NRCS needs to calculate costs themselves so if we don't have costs, it is not a big deal. They just need to know what the practices and scenarios are that we need.

Nate will schedule a conference call for 10am on Monday, May 24 to discuss the technical recommendations.

The public meeting for WTCAC to present technical recommendations to Pat Leavenworth is scheduled for June 16 in Madison.

13. Judicare

David Armstrong – Jerry is not really an employee but not the model for an independent contractor either. In the contract we need to make it clear that he is a contractor.

There is a glitch with IRS that needs to be corrected because they have us listed as 501(c)(3) in the past. Taxes are due and need to be postmarked by Thursday. Jonathan will take the taxes to the post office tomorrow. In tax year 2012 we should be eligible for easy file for 990's which will take about 40 minutes instead of 35 hours.

Need to put something on the website indicating that WTCAC's taxes can be viewed upon request to WTCAC (Jonathan or Nate?).

MOTION: Motion to approve Jerry Thompson's contract as written by Judicare. Motion by Stockbridge-Munsee, seconded by Oneida. All ayes, zero opposed, motion carried.

We need to renew ourselves with Judicare so they can keep helping us.

14. Tasks for Jerry

- 1) SOP for EQIP and WHIP
- 2) Look into NRCS GLRI funds for next year

- 3) Look at task list from strategic plan
- 4) If we do not get 2501 grant need to focus on grants
- 5) Potential VHS application for this fall
- 6) Materials/Supplies

15. Small Project Updates

Bad River - Invasive Species Assessment – Hired intern for the summer to work on project and ordered a few supplies. Culvert Project – Just got culvert plans for the replacement, will be getting bids shortly. Pam will send me latest cost estimate for culvert project when she has it, it will be under cost.

GLIFWC - Jonathan has the 1st half project report from GLIFWC, they sent cds of maps; it looks like everything is there. He will send them with Brett to see if we can get them on the website.

MOTION: Motion to approve payment of \$3,474 to GLIFWC for the 1st half of Phase II of their Invasive Plant Risk Assessment/Prioritization Model. Motion by Oneida, seconded by FCPC. All ayes, zero opposed, motion carried.

LCO - Brett indicated that all of the money awarded to LCO for the fish crib project will be spent.

FCPC – Nate handed out a letter from the FCPC Chairman asking to withdraw the Devil’s Lake Gathering Area Restoration Project because of vandalism that had occurred at the site.

MOTION: Motion to approve the withdrawal of the remainder of FCPC’s Devil’s Lake Gathering Area Restoration Project. FCPC will be returning \$17,961.50. Motion by Stockbridge-Munsee, seconded by LCO. All ayes, zero opposed, FCPC abstained, motion carried.

Lac du Flambeau – no one from Lac du Flambeau is at the meeting, Nate will check with them to see if their project is on schedule. ***Update – Nate talked to Gretchen Watkins and the project is on schedule to be completed this year.

Oneida – Sugar Camp Project is on schedule and will be done by September 30th.

16. Small Project Proposals

FCPC presented a small project proposal titled “Otter Creek Restoration Design.” Nate forgot to attach the budget page so he will email it out to everyone.

MOTION: Motion to award FCPC \$17,961.50 for the Otter Creek Restoration Design Project. Motion by Oneida, seconded by Ho-Chunk. All ayes, zero opposed, FCPC abstains, motion carried.

17. Financial Report

The question is what do we want to do with the rest of the money that has to be spent by September 30, 2010? A thought was to have a 2 day meeting so we could go through the Strategic Plan and Task List. Also, we are trying to incorporate the WI Tribal Caucus into a WTCAC meeting the last week in July at Ho-Chunk. Jerry Thompson will talk to Ed Fairbanks of U.S. EPA to try and coordinate this meeting the same week as the Region 5 RTOC in Ho-Chunk. The dates would be July 26 – 28. Jerry is also looking into buying some materials/supplies for WTCAC.

Nate handed out the current financial report for the NRCS agreement.

18. Amendment to By Laws

Nate had emailed out a proposed amendment to the bylaws to incorporate language about electronic communication and motions.

MOTION: Motion to approve the amendment to the bylaws to incorporate language about electronic communications and motions. Motion by Stockbridge-Munsee, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

19. WTCAC Logo

Jeremy Pyatskowitz will start working on the logo again soon and he will get it emailed out.

MOTION: Motion to adjourn. Motion by Stockbridge-Munsee, seconded by Ho-Chunk. All ayes, zero opposed motion carried. Meeting adjourned at 4:30 pm.