

**WTCAC Meeting**  
**Madison, WI**  
**10/22/02**

Meeting called to order by Vice-Chairman Paul Ninham (Oneida) at 9:40 a.m.

Opening prayer by Paul Ninham.

Roll Call:

Members Present: Paul Ninham (Oneida), Doug Cox (Menominee), Judy Pratt-Shelly (Red Cliff), Kirsten Cahow (Bad River), Leslie Billy (St. Croix), Jim Thannum (GLIFWC)

Guests Present: Pat Leavenworth, Tony Bush, Tom Fredrickson, Jim Radke, Jerry Thompson, Sherrie Zenk-Reed, Tom Cogger, Renae Anderson, Eva Pratt-Shelly

Minutes: Not available from previous meeting.

Pat Leavenworth Update:

Currently detailed to Washington, D.C. Pat is responsible for working on FY 2003 budget allocations to States. There are \$90 Million dollars of earmarked programs approved that have to come out of NRCS discretionary and watershed funds. Recent ruling against OMB for not releasing the Technical Assistance funds in FY 2002. NRCS is currently operating on a Continuing Resolution, hopefully only until January. Headquarters is working on getting rules established for the Farmland Preservation Program (FPP), EQIP, and the Technical Service Providers (TSP's). TSP rules are under development and a summit is scheduled for early November. **Tribal participation is needed as NO ONE is currently speaking for Tribes. If anyone is interested, contact Pat directly.** EQIP funding is being increased from \$400 million to \$694 million. Don't know if the Continuing Resolution also applies to the funding for mandatory programs like EQIP, WHIP, WRP, etc. The 2501(g) Program has been transferred to the Extension Service. NRCS will no longer manage that program. Currently there are no funds approved for FY2003, which affects two projects in Wisconsin, one of them on the Oneida Nation. With the increase in program budgets, OMB is more closely monitoring and auditing the agencies. Have developed a new Agreement Process and are limiting "Liaisons" to 2 year appointments. NHQ needs to clarify that "Tribal Liaisons" do not fall under that limitation, but instead are staff positions. NRCS National Tribal Liaison Jack Brickner has been re-assigned. There was an attempt to combine that position with Outreach, and move it to the Civil Rights Division. Pat was successful in keeping the position under NRCS Program Management. There is a Section in the Farm Bill that requires the Secretary of Agriculture to do a study of Tribal participation in the Farm Bill within a year of approval. Pat will follow up as to where that is at.

Proposed WTCAC EQIP

Tom Cogger handed out a summary of the various conservation practices that were submitted by the Tribes. Many Tribes did not respond to WTCAC's request for conservation practices that they would like to have considered for inclusion in the Tribal EQIP program. If they don't want to participate they may lose out on their share of the proposed \$500,000 for this years program. Jim Thannum handed out the summary of Resource Concerns identified by the State Technical Committee. Tom then reviewed a "draft" two-page ranking sheet that was developed for evaluating Tribal requests to WTCAC for EQIP funding. Discussed the application process.

Much discussion ensued concerning the “draft” EQIP manual requiring all Tribes to provide Social Security numbers for all Tribal members who may benefit from an EQIP project with the Tribe. Jim Thannum stated that in 1998 Secretary Glickman allowed Tribes Federal ID numbers as acceptable. If this is allowed, then the payment limitation of \$450,000 of EQIP funds for the life of the Farm Bill (to 2007) would again limit Tribal participation. This type of ruling treats Tribes as a single producer and not as a **Government**. Need to maintain that **Government to Government** relationship between the Tribes and USDA. In Wisconsin, these limitations would definitely affect Ho-Chunk, Oneida, Red Cliff and Bad River, and maybe all the Tribes, depending on whether they decide to participate in EQIP or not. In the past Farm Bill, Tribes were exempt from the payment limitations. Pat and Jerry will follow up on this. Paul will bring this issue to the National Congress of American Indians (NCAI) in November. WTCAC (Paul) will address a letter of concern to USDA.

### **How will limitations affect Tribes?**

- Trying to find Social Security numbers for all Tribal members may be a huge task, as SS #'s are not maintained by all Tribes.
- Fractional Interest: Multiple owners (sometime 100's) per land unit.
- Tribes are Governments, not individuals.
- Tribes were exempt under prior EQIP rules.
- Putting large administrative burden on Tribes to produce SS #'s, plus on NRCS to produce all those individual contracts.
- Doesn't consider Tribes individual land base and resource concerns.
- Circumvents USDA Government to Government policy for working with Tribes.

### **Next meeting:**

**WTCAC Executive Committee** will meet **November 19<sup>th</sup> at 7:00 p.m.**, at the Holiday Inn in Stevens Point, to work on the WTCAC Bylaws.

Full **WTCAC membership** meeting will be **November 20<sup>th</sup> at 9:00 a.m. to Noon**, at the Holiday Inn in Stevens Point. Agenda Items:

- Tribal Conservation Budgets
- Conclusion on EQIP practices.
- Administration of EQIP Funds (back-up projects, base allocations, etc.)
- EQIP Application Process, priorities, ranking system

Each **Tribal Liaison (DC)** will work with their **WTCAC members** to draft an EQIP project application process that fits Tribal needs and USDA needs. These will be presented at the November meeting for incorporation into the WTCAC review process.

Meeting adjourned at 12:45 p.m.