

Wisconsin Tribal Conservation Advisory Council Meeting Minutes
Tuesday, October 20, 2009
Stockbridge-Munsee

Meeting called to order at 9:20 am by Jonathan Pyatskowitz.

1. Roll Call

Present: Bad River (Pam Roberts), FCPC (Nate Guldan), LCO (Brett McConnell), Lac du Flambeau (Ethan Sennett), Mole Lake (Roman Ferdinand), Oneida (Pat Pelky), Red Cliff (Tracey Ledder), St. Croix (Tony Havranek), Stockbridge-Munsee (Luke Hennigan, Bob Frank), Menominee (Jonathan Pyatskowitz), Ho-Chunk (William Hopinkah)

Others Present: Dr. Tim Deveau (USDA Veterinary Services), Greg Yakle (NRCS), David Armstrong (Judicare), Tony Bush (NRCS), Keith Sengbusch (NRCS)

2. Approval of Agenda

It was indicated that item a. Manure pit set-aside monies under 3) NRCS Update will not be occurring.

MOTION: Motion to approve amended agenda removing item 3) a. Manure pit set-aside monies. Motion by Oneida, seconded by St. Croix. All ayes, zero opposed, motion carried.

3. Approval of Minutes

In the July 13, 2009 minutes in Section 5, 1st paragraph change "person" to "personal".

In the August 19, 2009 minutes there are 2 Section 5's so they need to be renumbered, in the first paragraph of Section 7 clarify that wood cannot be moved north of Hwy 29, and in the last paragraph of Section 6 change "them" to "then".

MOTION: Motion to approve the July 13, 2009 and August 19, 2009 WTCAC meeting minutes with corrections. Motion by Mole Lake, seconded by Red Cliff. All ayes, zero opposed, motion carried.

4. NRCS Update

Greg Yakle gave the update for NRCS.

Conservation Stewardship Program (CSP) – A Tribe would have to enroll all of their woodland or forestland in the program. Carl Wacker is the CSP Program Manager for the state; we should invite him to the next meeting. They will try to get more information on the program for us. A thing that is troubling is you can't modify the contract so if you want to drop land out of it you may have to pay back the entire amount of the contract and a penalty. Pat Pelky indicated that he thought that we should watch the program because it may be a huge benefit to the Tribes.

NRCS is trying to expand the pest management practice in EQIP and WHIP for different types of invasives. Greg will work with Invasive Species subcommittee to start working on practices. An Invasive Species Subcommittee meeting should be scheduled in the next few months to move forward with new practices. It looked as though Great Lakes Restoration Initiative (GLRI) money under the invasive species category was given to NRCS, Jonathan was wondering what it was actually for. Greg will check on it and get back to us.

Paved Surface – Water Access Point under the Access Road Practice and Beaver Dam Removal under the Fish Passage Practice were included in the eligible practices in Wisconsin for 2010. There was a note in the Paved Surface - Water Access Point stating that "only to be used on water bodies where no other stable access point exists". The intent of this statement will need to be clarified. Invasive Species treatment is included in the Pest Management Practice in WHIP, so the waiver must have went through? We need to confirm this.

The sign-up dates are still unknown. The 90% flat rates are good through this Farm Bill.

WTCAC needs to look at the ranking tool before next meeting and determine if we want to change anything. We will eventually go over our total allocation and we should have something set up to deal with it. Tony Bush will send Nate a list of resource concerns and then he will send out to everyone. Please let Tony know what each Tribe's resource concerns are. From these responses, Tony will figure out the ranking system. We may need to also look at the priority ranking system so each Tribe is assured to get a shot at the \$40,000 allocated in EQIP and WHIP. It was decided that everyone should come to the next WTCAC meeting with a list of the funds they plan to apply for in 2010 so that we can make sure each Tribe gets a chance at their original allocation.

5. APHIS Update

Dr. Tim Deveau

He gave an update on the contagious equine metritis (CEM) outbreak in horses. The outbreak involved 48 states and over 700 horses. It is winding down, the spread occurred at a stallion breeding facility.

Tuberculosis (TB) has reared its head in cattle. They thought it was on its way down but they are now seeing resurgence. Minnesota and Michigan have had outbreaks. A cattle herd in Texas was found to be positive. They traced out from this herd and they found traces into Wisconsin which occurred about 2 – 2 1/2 years ago. All animals that came from Texas were sent to slaughter. None of them had any obvious signs of TB at slaughter. They tested all adult animals in herds in Wisconsin that came in contact (4500 animals from 1 herd and 3000 animals from another herd) and they all came back negative. Some were suspect so they went to slaughter. Therefore, so far TB has not been discovered in Wisconsin.

There recently was a concern about H1N1 in Minnesota. The CDC was doing some testing of places where people and hogs come together. Three pigs at the Minnesota State Fair came back positive. There was also an outbreak at a dorm with people participating in the fair. There is no connection between the hogs that tested positive and the people at the dorm. So far the disease has only been known to jump from humans to pigs, not pigs to humans. There was a reported jump from people into turkeys in Argentina. Properly cooking pork will kill the virus.

There is some funding available for Viral Hemorrhagic Septicemia (VHS) testing. In the 8 Great Lake states where VHS is reported there is \$1.5 million available for 2010. The Department in Agriculture has money and looking for \$450,000 to be divided up. Only GLIFWC currently has a VHS cooperative agreement. We would apply for this money just as we would with any cooperative agreement with USDA. The funds can be used for any activities except for research and building. The contact for this would be Dr. Michael Dutcher (608-270-4000, michael.dutcher@aphis.usda.gov). Could WTCAC do a cooperative agreement and work with the Tribes such as we did with EAB surveys? We could talk to Terry Clark who is the Tribal Liaison. They look at specific organs when testing for VHS and they could provide some training on sample submission. As far as Dr. Deveau knows, there are no match requirements.

6. Judicare Update

David Armstrong got notice from the IRS that we are a 501(c)(3) going forward. They backdated the non-profit status back to when the organization was formed. This designation is different than the 501(c)(3). He is waiting for an accountant at his office to go through the taxes. They should go out the first part of next week. An abatement letter will go with it asking them to please not charge us any back penalties. There is good cause that we didn't file before (board turnover, unaware that we had to, etc).

We cannot do any campaigning because we have 501(c)(3) status. We can lobby for the Farm Bill, etc, we just need to keep track of the time and amount of WTCAC funds spent on it and report it separately, as long as it is not a major part of what we do every year it won't matter. We will have to file taxes every year. We need to get him all expenditures from last fiscal year (FY2009). We need to keep track of all income and expenditures going forward (we have done this in the past; we just need to keep up with it). He indicated that we may want to separate out how we keep track of expenditures (meeting expenses, small projects, conferences, mileage/hotel reimbursements, etc). We will need to put information on our tax returns on our accounting practices. If we ever get into non-grant income then we will need to report that separately. If we hire any employees we need to withhold taxes. Going forward we need to make our 990 available for public inspection. We can do this through a notice in a newspaper or we can just put them up on our website for a week or two. He will send Nate information and Nate will send out to everyone else. We should look into getting a Wisconsin charitable recognition. We have to pay (\$54 annual fee) for the state to recognize us as a charity. Judicare will keep our file open if we need any other legal assistance. David will make us an annual schedule of what we need to do. Once we get this we should pull together an SOP. He indicates that he doesn't think we need insurance for liability for Board Members.

7. Small Project Reports

Tony Kuchma presented the final report for Oneida's small project titled "Cost Determination for *Phragmites australis* and Garlic Mustard (*Alliaria petiolata*) Control."

MOTION: Motion to approve final payment of \$29,299.00 to Oneida for the Cost Determination for *Phragmites australis* and Garlic Mustard (*Alliaria petiolata*) Control small project. Motion by Stockbridge-Munsee, seconded by LCO. All ayes, zero opposed, Oneida abstains, motion carried.

Pam Roberts presented an annual report for Bad River's small project titled "Culvert Assessment and Remediation Project" for work done in FY2009. The rest of the project will be completed in FY2010.

MOTION: Motion to approve payment of \$3,206.05 to Bad River for work done in FY2009 on their Culvert Assessment and Remediation Project. Motion by Oneida, seconded by Red Cliff. All ayes, zero opposed, Bad River abstains, motion carried.

Pam Roberts presented an annual report for Bad River's small project titled "Graveyard Creek Brook Trout Behavior Study and Habitat Evaluation." All of the work covered by the WTCAC award was finished in FY2009; however they did not have any results to report on the brook trout's movement. WTCAC indicated that it would like to receive a final report next year detailing the movement of the brook trout; however WTCAC will approve payment of costs incurred.

MOTION: Motion to approve final payment of \$14,385.00 to Bad River for the Graveyard Creek Brook Trout Behavior Study and Habitat Evaluation small project. Motion by Stockbridge-Munsee, seconded by FCPC. All ayes, zero opposed, Bad River abstains, motion carried.

GLIFWC submitted their quarterly deliverables to Jonathan for the 3rd and 4th quarter of FY2009. They also submitted a Phase 1 completion report.

MOTION: Motion to approve final payment of \$14,540.50 to GLIFWC for the completion of Phase 1 of their Invasive Plant Risk Assessment/Prioritization Model small project. Motion by Stockbridge-Munsee, seconded by LCO. All ayes, zero opposed, motion carried.

Roman Ferdinand presented the final report for Mole Lake's small project titled "Terrestrial Invasive Species Assessment."

MOTION: Motion to approve final payment of \$3,775.00 to Mole Lake for the Terrestrial Invasive Species Assessment small project. Motion by FCPC, seconded by Oneida. All ayes, zero opposed, Mole Lake abstained, motion carried

Tony Havranek presented the final report for St. Croix's small project titled "Intensive Survey of St. Croix Rice Lakes."

MOTION: Motion to approve final payment of \$19,715.20 to St. Croix for the Intensive Survey of St. Croix Rice Lakes small project. Motion by Oneida, seconded by Mole Lake. All ayes, zero opposed, St. Croix abstained, motion carried

Nate Guldán presented an annual report for FCPC's small project titled "Devil's Lake Gathering Area Restoration" for work done in FY2009. The project will be completed in FY2010. Vandalism occurred in October in which trees that had been planted were pulled out. The annual report indicates that the location of the project may be moved. Nate will get information to WTCAC on the future intent of the project.

MOTION: Motion to approve payment of \$4,700.50 to FCPC for work done in FY2009 on their Devil's Lake Gathering Area Restoration small project with the expectation that FCPC will provide WTCAC will an update on the intent of the project going forward and may submit a modification to the proposal. Motion by St. Croix, seconded by Oneida. All ayes, zero opposed, FCPC abstains, motion carried.

Ho-Chunk is not here with their small project final report so we do not know what they spent. Greg Yakle will check with them and get something to WTCAC as soon as possible.

Brett McConnell gave an update on LCO's small project titled "Deep Water Habitat Enhancement." He did not have the final numbers from FY2009 so it was decided to have a conference call to approve payment to LCO as well as Ho-Chunk.

8. Financial Report

Nate handed out the agreements summaries for both NRCS contracts and explained that they have changed based on the small project reports presented today. He also handed out the FY2009 check register.

Brett indicated that Check 4179 to LCO was lost and he wants to cancel it. Brett made out a new check and sent it in.

MOTION: Motion to cancel check #4179. Motion by Oneida, seconded by Stockbridge-Munsee. All ayes, zero opposed, LCO abstains, motion carried.

WTCAC needs to figure out how to award small projects with remainder of funds. There was discussion that instead of using the remaining money on small projects that it may be better used on hiring someone as an LTE to assist WTCAC with applying for other grant funds, managing contracts, etc. It was thought that Jerry Thompson may be interested in this position. Nate will talk to Jerry about his thoughts on it.

Pat Pelky will check with their legislation affairs people to work on getting funds next year.

9. Website Development

Brett handed out a quote he received from Rising Flame, Inc for the development of a WTCAC website. Please look at this quote, as well as the one that Luke received previously, and be ready to discuss at the next meeting.

10. Logo Development

There is a meeting on Thursday, October 22 in Green Bay to look at the logo designs. Pat Pelky, Jonathan Pyatskowitz, and Luke Hennigan will be attending.

11. Technical Recommendations

Nate suggested recommending to NRCS that their specs for erosion control netting should only allow for the use of organic netting. The typical “biodegradable” netting currently used most often takes a long time to break down and snakes and small mammals can get tangled in it and die.

It was suggested that we should start a list of technical recommendations for next year. Nate will start a list.

WTCAC needs to reconvene the Invasive Species Subcommittee and begin working on recommendations.

12. Great Lakes Regional Native American Fish and Wildlife Society Conference

Jonathan and Nate attended the conference and gave a talk. It turned into a good panel discussion which included NRCS people and Tribal employees from Michigan. It was requested that we send our presentations and by-laws to the Grand Traverse Bay Band, Nate emailed them.

13. Elections

Oneida nominates Nate Guldán from FCPC for Vice President, 2nd by LCO. Nate Guldán accepts the nomination.

MOTION: Motion to close Vice President nominations. Motion by Stockbridge-Munsee, seconded by Mole Lake. All ayes, zero opposed, FCPC abstains, motion carried. Nate Guldán is elected Vice President.

Stockbridge-Munsee nominates Brett McConnell from LCO for Treasurer, 2nd by Red Cliff. Brett McConnell accepts the nomination.

MOTION: Motion to close Treasurer nominations. Motion by Mole Lake, seconded by Oneida. All ayes, zero opposed, LCO abstains, motion carried. Brett McConnell is elected Treasurer.

14. Next Meeting

A conference call to discuss small projects, appropriations, etc is scheduled for Wednesday, November 4 at 1pm. Roman will set it up and email out the invite.

The next WTCAC meeting is scheduled for Tuesday, December 1 at Lac du Flambeau.

MOTION: Motion to adjourn. Motion by Stockbridge-Munsee seconded by St. Croix. All ayes, zero opposed motion carried. Meeting adjourned at 4:14 pm.