

Wisconsin Tribal Conservation Advisory Council Meeting Minutes
Wednesday, April 4, 2012
St. Croix

Meeting called to order at 8:09 am by Nate Guldan.

1. Roll Call

Present: Bad River (Lacey Hill), Ho-Chunk (Sara Hatleli), LCO (Brett McConnell), Pat Pelky (Oneida), St. Croix (Katie Stariha, Tony Havranek), Menominee (Jeremy Pyatskowitz), Tina Van Zile (Mole Lake), FCPC (Nate Guldan), Red Cliff (Marvin Defoe, Vice Chairman). Quorum present.

Others Present: Jerry Thompson (WTCAC), Tom Fredrickson (NRCS), Mike Koehler (NRCS), Gary Haughn (NRCS), John White (NRCS), Chris Borden (NRCS), Greg Yakle (NRCS), Randy Gilbertson (WTCAC), Keith Sengbusch (WTCAC), Tom Melnarik (NRCS), Kent Wabrowetz (NRCS), Jim Ruppel (EPA), Deb Walchuk (MN NRCS), Sherrie Zenk-Reed (NRCS), Tony Bush (NRCS)

2. Approval of Agenda

Move Election of President up to Item #3.

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

3. Approval of Minutes

Change tow to two in item #11 and sad to said on Page 6.

MOTION: Motion to approve February 29, 2012 minutes with modifications. Motion by Oneida, seconded by Mole Lake. All ayes, zero opposed, motion carried.

4. Election of President

Mole Lake nominates Pat Pelky for President and he accepts.

MOTION: Motion to close nominations for WTCAC President. Motion by Ho-Chunk, seconded by LCO. All ayes, zero opposed, Oneida abstains, motion carried.

Record of Vote for President:

Bad River – Pat Pelky
FCPC – Pat Pelky
Ho-Chunk – Pat Pelky

LCO – Pat Pelky
Menominee – Pat Pelky
Mole Lake – Pat Pelky
Oneida – No vote
St Croix – Pat Pelky

Pat Pelky is elected WTCAC President.

5. NRCS Update

Jon White was present and had an update from Pat Leavenworth. There is nothing new or changed as they still do not have a final budget. Farm Bill work is moving along. The Deputy Secretary was in Wisconsin last week and wasn't too optimistic that the Farm Bill will be done this year and she felt that they will be on a continuing resolution for next year. Two training Technical Service Provider (TSP) trainings were held. Thirteen participants from 5 Tribes participated. They understand it went well and they want to encourage the folks to complete the process so that Tribes can sign up for Conservation Activity Plans (CAPs) next year. We are in the 2nd EQIP sign up right now; deadline for applications is April 20. You will need to submit a 2nd application for the 2nd sign up. There is about \$60,000 in slippage, if we go over that there could be potential for extra funds. They are currently evaluating proposals for next year's cookbook and they will be able to get back to us at a future meeting. There are still funds for the organic initiative but the funds for the other special initiatives were used. They are working on a resource concern presentation and plan to present it to us at a future meeting well before next year's sign up. It will be good to tie in the regional cookbook as well. Jerry would like to request that Randy and Keith be part of the training team for the resource concern issue being they know what our issues are. They are thinking maybe a 3 – 4 hour session. The thought was to maybe have the resource concern presentation 2 meetings out. Nate requested an explanation of why NRCS could not fund access roads as they have in the past. Tony asked about having NRCS define liaisons roles as well.

6. EPA Update

Jim Ruppel emailed all of his report out to the WTCAC email list (attached). He needs Emergency Management contacts from all the Tribes so please send those to him. They are still in the hiring process for the new Region IEO Director. He thinks interviews are done and he hopes to hear something in the next few weeks. Melinda Danforth resigned as Co-Chair as she is taking on some major duties with Oneida. They are also some major consultations that will be coming up soon (see attached).

We need to develop better process and procedures for how WTCAC will function as Tribal caucus to EPA. That way will be able to have input to EPA. Tina Van Zile will be a lead on developing process and procedures for how we will function as a tribal caucus.

7. APHIS Update

JoAnn Cruse on conference phone gave the update. There is no new EAB in Wisconsin to report. They are trying to get an idea of how many Tribes would like to put out traps; they would need to know as soon as possible as the traps need to be up by mid May. Five Tribes have requested traps, she hasn't heard from Red Cliff, Bad River, Mole Lake, FCPC, and Lac du Flambeau. If we don't want to trap it would be good to know as well. A good portion of state will be trapped by DATCP. If we want traps she will make sure we get them. By 2013 they will be down to one staff per state for EAB work through APHIS. They are taking a drastic hit. Not sure if the quarantine affects any tribes in Wisconsin. Wisconsin is at an advantage because they quarantine at a county level. Other states did whole state quarantines. That allows free movement from quarantine to quarantine across state lines to areas that may have EAB. Ashland, Bayfield and Clark Counties went into federal quarantine April 1 for gypsy moths. They have had a couple of meetings about the table top exercise at Menominee. May 1 is the table top with a core group of folks; the full scale will be much larger and is the week of September 10 (Tuesday afternoon until Thursday morning). She has not heard about the Farm Bill. She worked with Jerry on a proposal to get one to two Tribal representatives from each Tribe to observe the full scale exercise in September. They hope to find a way for folks to come and observe the exercise. Buyouts approved for APHIS for early retirements to reduce the budget. With CWD find will they be reinstating funding? She has no idea but she will look into it. She will send out a reminder on EAB traps. Jerry – they worked up a budget plan of \$6,800 through the Farm Bill system for travel to full scale exercise. He also did an additional one through APHIS Farm Bill system for \$180,000 to hold regional TCAC trainings. Everyone in APHIS across the country is going through staff reductions and getting multistate duties so they are interested in multistate tribal regional type meetings.

8. FSA Update

Susan couldn't be here. She sent Nate a report which was handed out (attached). They may be closing the Rhinelander office and Susan could be reassigned. We should contact Brad Pfaff to express our concerns and tell him that WTCAC thinks she does an excellent job as the Tribal Liaison and we would hate to lose her. Pat Pelky will call him.

9. Next Meeting

The next meeting is scheduled for May 2nd and 3rd and is being hosted by Ho-Chunk in Black River Falls. May 2 will be the regular WTCAC meeting and will begin at 9 am while May 3 will be a daylong Strategic Planning session for WTCAC Representatives.

10. Intern Discussion

USFS is going to fund the student in Michigan mostly because we are not set up for taxes and such in Michigan. They are bringing them on as a biological aid, but will still be part of our program and will come to all the things we put on. We are paying for 2 students at the Great

Lakes Visitor Center and the other one will be at the NRCS in Ashland. Derrick Taylor is going to go to the Spooner field office. Michael Arse is going to Oneida and Tina Van Zile's daughter is going to Rhinelander. We have one student going to LCO and they are hiring 2 crew leaders for their youth core in the summer. WTCAC is funding one of the crew leaders; however the problem is that the college is only paying the other crew leader \$9 an hour and WTCAC pays more. The student is coming out of high school and they are going to hire him as an assistant crew leader and they don't want to pay him more than the crew leader. The college actually hired the crew leader.

MOTION: Motion to approve a change in the rate of pay for the WTCAC intern position with LCO to \$9.00/hour. Motion by Mole Lake, seconded by Menominee. All ayes, zero opposed, motion carried.

The APHIS position will be in Rhinelander and was filled. Jerry will send all Wisconsin students the forms they need to fill out. Student orientation is scheduled for 9 am on June 4th in Medford which will be their first work day. The last day will then be on August 10th. If they want to take time off unpaid they could do that and then just extend their internship to get in their 400 hours. Jerry will send out timesheets to all of them. Randy and Gary interviewed the 3 students in Ashland and they were very impressed. They Platteville trip is June 11 – 14 and the agenda is still being developed. Can Jerry send out an email asking if students would like to carpool to Platteville? They will then report to their location on the 5th. He wants supervisors at the orientation on the 4th as well.

11. Revisions to Employee Handbook

Jerry handed out a draft employee vacation policy. It needs to be clarified that vacation hours will be paid out when employment ends but prorated based on the amount of fiscal year worked. Need to add 3 day doctor limit on sick leave, change sick leave to no carry over and that 80 hours will be given in a lump sum at the beginning of the year. Jerry will revise and bring back.

12. Travel Policy

Jerry handed it out. Jerry removed the table and put in links to federal per diem websites. The statement on the \$500 stipend for meetings should be removed and probably placed in the operational manual. Add statement that meeting room expenses will be reimbursed to the hosting tribe. Change #8 to read that all out of state travel plans must be approved by WTCAC motion. Add #9 stating that all in state travel of employees requesting per diem must be approved by their supervisor. Jerry will update the entire handbook and sent out to everyone for review. Please review and bring comments to June meeting.

13. Program Manager Report

Randy – TCAC Trainings – At the training in Reno they had a Tribe from California and other Tribes that came from long distances. They didn't know when they showed up who was going to come. In Nevada they had a good crowd and good discussion. They are a little more interested in Tribal Conservation Districts as they have large reservations. He has a hunch some of the western states will do something different than us, maybe an Association of Conservation Districts or a combination of a Conservation District and a Tribal Conservation Advisory Council. The Tribes in California have very little land and very small communities so a Tribal Conservation Advisory Council may be a better organization.

In New Mexico they had worked really hard and their Governors (Chairman) were invited. They did not invite local farmers, ranchers, and staff. They got there and there really wasn't anyone there. The first day they had 3 Tribes attend however on the second day they only had some USDA employees and 1 tribe. The Tribe that was there had already formed a Conservation District. They went to their property and worked with their Tribal Bison Manger and Randy felt it was very productive.

There should be a big group at the Arizona training. If we do anymore particularly with western Tribes we need to broaden the invitation list to farmers, ranchers, and conservation staff and have some preregistration to ensure they have people there.

Jerry – the Nevada session was organized by INCA – they had more show up then they actually expected. Jerry got a letter from Nevada State Conservationist expressing his gratitude for the presentation. The Nevada session brought to NRCS's attention some issues that a couple of Tribes had with NRCS for some practices that failed and the Tribes didn't know they had recourse to go back to NRCS to fix the problems. They also learned about a unique way that Tribes can form a Conservation District by acting as an economic development entity.

In Louisiana, they are using our session to promote throughout the country the proper way of consulting and working with Tribes to meet Tribal needs such as how to hold a public meeting with Tribes, how to get them involved, and how to get them to talk about things in a public forum. They talked about what WTCAC did there as a model.

Unless we get more involved with planning trainings they are hit and miss. The Arizona State Conservationist is committed and has committed staff time to get people involved. Jerry needs to talk to California State Conservationist to see if what she is looking for is what we are really providing. He thinks she may just want from us how Tribes can work together and not just the typical 2 day trainings we usually do. California Tribes are probably not at the point to talk about resource concerns and on the ground things. Maybe it would be appropriate to just have Jerry go.

Dates for the trainings are as follows:

May 7 – 11 in Arizona at Camp Verde and Jerry, Keith, and Randy will be attending.

August 1 – 8 in California - Jerry will be attending and potential more

August 24th and 25th in Alaska – Jerry will be attending

MOTION: Motion to approve travel for Jerry to Alaska in August however he will look into whether or not it could be accomplished by a webinar instead of having to travel to Alaska.

Motion by St. Croix, seconded by Menominee. All ayes, zero opposed, motion carried.

Marvin Defoe, Red Cliff Vice Chairman, handed out a position paper (attached) on defining Red Cliff Tribal Fisherman as agricultural producers. He met with Janie Hipp in Washington DC last week and they had a discussion about the position paper. He also handed it out to Senators and Congressman. They have 40 commercial fishermen. They noticed their people are having a very difficult time continuing fishing. Janie Hipp said it was about time and she said other Tribes across the nation are pushing this as well. She was asked to take a look to see if they could have the same opportunities as traditional farmers have in the Farm Bill. They are looking for equal opportunity. There is language in the Farm Bill that hinders this.

Non-profit meeting – It wasn't what Jerry thought it was going to be. He thought it would be a chance to network with funding organizations, but it was actually about how non-profits prepare themselves to replace Program Managers or Executive Directors. It was very interesting; they had various organizations that talked about how things have worked in replacing people. They have another meeting coming up May 23 and 24 with 3 sessions 1) building boards and the bottom line – creating a high performing board, 2) effective strategic planning for non-profits and 3) grant proposal fundamentals. Jerry was asked to go to the 3rd session.

There is QuickBooks Training June 6 and 7 that Jerry thought would be useful.

MOTION: Motion to approve to attend the QuickBooks training. Motion by LCO, seconded by St. Croix. All ayes, zero opposed, motion carried.

14. Financial Report

Jerry handed out the revised donations form (attached).

MOTION: Motion to approve to donation form. Motion by LCO, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

Because of how Jerry needs to request money now, the budget tracking process is rather complicated. We are on track. Balance small projects money to exact allocated to pay for some

of the extra interns and then use the rest of the TCAC Training funds for the interns as well. WTCAC has \$486.08 of its own money. Jerry will get a legal opinion on leftover money from Oneida's Sugar Camp project.

We want to be able to recognize Jonathan and we would like to give him a St. Croix Rod and Reel.

MOTION: Motion for the WTCAC Treasurer to purchase a St. Croix fishing rod and reel for up to \$350. Motion by Mole Lake, seconded by St. Croix. All ayes, zero opposed, motion carried.

Talked about trying to get some of us to speed on things Jerry is doing. Pat Pelky will get together with Jerry to get up to speed.

15. INCA Board Appointment

Dick Gooby said if we want to make a recommendation to replace Jonathan on INCA we should. Jonathan thought there was a lot of value on it.

MOTION: Motion to nominate Tina Van Zile for the INCA Board of Directors. Motion by St. Croix, seconded by Menominee. All ayes, zero opposed, motion carried.

Pat Pelky will draft a letter to INCA.

16. Miscellaneous

Pat Pelky will have staff work on letterhead to move Tribe's names to the left side of the paper.

Jerry – For accounting purpose he has been providing us his monthly timesheets. Jerry will standardize the time sheets and monthly reports.

If we need Randy to come out and help determine what the resource concerns are and what practices may apply, let him know. He is not just traveling with Jerry for outreach. They will be meeting with NRCS staff to figure out issues this coming month.

17. Technical Recommendations

- Traditional hoop houses
- How to quantify the amount of acres treated for invasive species and multiyear applications
- Recommendations from Oneida's phragmites and garlic mustard small projects

MOTION: Motion to adjourn. Motion by St. Mole Lake, seconded by St. Croix. All ayes, zero opposed, motion carried. Meeting adjourned at 2:44 pm.

EMAIL MINUTES 4/17/12

MOTION: Motion to approve travel for Pat Pelky to attend a roundtable discussion with Secretary Vilsack in Dubuque, Iowa. Motion by FCPC, seconded by Red Cliff. Eight ayes (FCPC, Red Cliff, Mole Lake, St. Croix, Menominee, LCO, Ho-Chunk, Stockbridge-Munsee), zero opposed, motion carried.

ATTACHMENTS

WTCAC – EPA Region V Updates/Info April 2012

- FY 2012 Tribal Pesticide Special Projects.
<http://epa.gov/region5/business/tribalpest.html>
\$122,000 total available / \$60,000 max per award
Deadline April 18, 2012, 5:00 PM Central Standard Time (CST)
More Info: Amy Mysz, mysz.amy@epa.gov, 312-886-0224
- Environmental Workforce Development and Job Training Grants
<http://www.epa.gov/oswer/docs/grants/epa-oswer-oblr-12-03.pdf>
\$2.8 Million Total Available / Est. 14 grants
Proposals are due by April 12, 2012
More Info in ePacket
- Emergency Contacts for WI Tribes
Still need emergency contact information from a few WI Tribes.
Important for notification of emergencies and for receiving info on trainings and exercises.
- Status of TEA Renewal Process
EPA Divisions are slowly completing their parts of the template.
Going state by state (WI last), so it may be some time before templates with Division edits are out to Tribes.
- Melinda Danforth Resignation as R5 RTOC Co-Chair
Will remain on as WI RTOC Representative.
New R5 RTOC Chair will be selected at next tribal caucus.
- Selected Consultations:
 - 05/15/2012 EPA Climate Change Adaptation Plan (Contact: Gerald Filbin
Filbin.Gerald@epamail.epa.gov , 202-566-2182)
 - 04/15/2012 EPA R5 Review of WI 303(d) List, (Contact: Marcy Kamerath, at
kamerath.marcy@epa.gov , 312-353-5784)
 - 04/17/2012 Steam Electric Effluent Limitations Guidelines Proposed Rulemaking (Contact:
Jezebele Alicea, alicea.jezebele@epa.gov , (202) 566-1775)
http://water.epa.gov/scitech/wastetech/guide/steam_index.cfm#point8
 - Complete list of consultations: <http://yosemite.epa.gov/oita/TConsultation.nsf/TC?OpenView>
- Draft National Water Program Strategy: Response to Climate Change (2012)
<http://water.epa.gov/scitech/climatechange/2012-National-Water-Program-Strategy.cfm>
See above link or additional info in ePacket for instructions on how to comment.
- Draft Tribal Building Codes Template
Comments due by April 15th.
Copy of draft included in ePacket

More Info: tribalcodes@epa.gov or 415-972-3206.

- Webinar Clearing up Climate Confusion - Wednesday, May 16, 2012, 1:00-2:00 p.m. EDT
Union of Concerned Scientists – Facts and Talking Points for Communicating with Public
Sign Up Online: http://www.ucsusa.org/global_warming/what_you_can_do/desk-reference.html
- Public Participation Guide & Toolkit
(Designed to help governments and organizations develop effective ways to engage the public in environmental issues)
Available Online @: <http://www.epa.gov/international/public-participation-guide/index.html>
More Info: Shereen Kandil (EPA DC) kandil.shereen@epa.gov
- TRIBAL GREEN CASINOS AND ENVIRONMENTAL TOBACCO SMOKE WORKSHOP
Week of September 17, 2012 - Grand Portage MN
More info: Fayette Bright, bright.fayette@epa.gov , 312-886-6069
- Free Energy and Mold Onsite Technical Assistance Visits – HUD
“Site visits are FREE and consist of three days of housing energy assessments and technical assistance. The site visit results in a report serving as a plan of action for the tribe to address current and future mold and mildew problems and indoor air quality issues. In addition, the report will recommend strategies for the tribe to improve energy efficiency”
Contracted by HUD through FirstPic, Inc
Site visit form included in ePacket.
Contact: Sara Fiala 202.393.6400 (p) sfiala@firstpic.org
- BIA Water Resources Technical Training Program:
Applications are due by April 20, 2012
U of A - Tucson, Arizona from July 8, 2012 to August 3
Program Booklet and Announcement Included in ePacket.
Contact: Mo Baloch, Mohammad.Baloch@bia.gov , (202) 208 – 6042
- New trainings posted: <http://water.epa.gov/learn/training/tribaltraining/curriculum12.cfm>
 - Infrastructure Operation and Maintenance (O&M), and Management Training for Tribal Water and Wastewater Operators and Leaders (Multiple dates and locations)
 - Workshop on Nonpoint Source Pollution Management and the Watershed Approach - April 24 – April 26, 2012 in Tulsa, Oklahoma
- Clean Diesel Competitive Grants
Conf Call April 12th, Watch for RFP in Early April
<http://www.epa.gov/otaq/diesel/prgnational.htm>
More Info: Rosalva Tapia, Tapia.rosalva@Epa.gov, 202-343-9534



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FSA REPORT TO WTCAC – APRIL 4, 2012

By Susan Hunter, FSA Tribal Liaison (715) 362-5941 ext 104, susan.hunter@wi.usda.gov

Conservation Reserve Program (CRP) Signup – April 6th is the deadline to sign up and bid on eligible acres under CRP at the local FSA office. Producers and landowners can offer bids on eligible cropland to put in conserving covers for annual payments. For more information on the eligibility and evaluation/ranking of offers, visit <http://www.fsa.usda.gov/crp>

E-Newsletters from FSA – Local FSA offices cannot mail hard copy newsletters anymore due to the high cost. If anyone wants information on local FSA programs and services emailed directly to their home or office, they should contact their local FSA office to provide their email address and sign up for the e-news.

Highly Erodible Land (HEL) and Wetland Compliance (WC). Anyone applying for or participating in USDA programs are required to have a conservation system in place on all highly erodible land (HEL). Renting new cropland, purchasing new land, breakup additional land, changing crops, and changing or removing existing conservation practices can result in compliance issues. Participants are encouraged to contact their local FSA or NRCS county office before taking any of the above actions. In addition, it is important that producers and landowners contact FSA or NRCS before modifying, tilling, draining, dredging, filling or leveling any wetland or drainage ditches. Failure to obtain advance approval for any of these activities can result in loss of all federal payments and program eligibility.

Farm and Youth Loans – FSA has targeted funds available for minority, women and beginning farmers/individuals looking to start or supplement a farm operation. There are also funds available for youth ages 10-20 to start an agricultural related money making business. For more details contact the local FSA farm loan official.

Fact Sheets for all the FSA programs are available at the FSA website: <http://www.fsa.usda.gov> (click on “Find FSA Fact Sheets” in the right hand “I Want To....” column)

Commodity Production in Traditional Native American Agriculture:

Defining Red Cliff Commercial Fisherman as Agricultural Producers

In recent years, USDA has made tremendous strides in connecting with Native American tribes. Regulation updates on tribal consultation reflect the shift that Midwest tribes have noted in recent relationship-building efforts by the Department. Instead of dictating policies to the tribes that ultimately effect available programs and services, USDA now grants Indian tribal governments, “the maximum administrative discretion possible (DR1350-001).” The Regulation further encourages Indian tribes to “develop their own policies to achieve program objectives” and, where possible, “defers to Indian tribes to establish standards.” The USDA decision to, “fully consider the information, input and recommendations from tribes” is particularly encouraging.

The Red Cliff Band of Lake Superior Chippewa commends USDA on what we perceive as a major sea change from the willingness in the past to fully collaborate with tribal governments.

In addition to changes in consultation policy, agencies under USDA directly involved with the Farm Bill, like Natural Resource Conservation Service (NRCS) and Farm Service Agency (FSA), have worked diligently in the Midwest to broaden conventional definitions of agricultural enterprises in an effort to encourage tribal access and involvement with Farm Bill funding. By broadening conventional definitions of an agricultural producer in the United States, agricultural production steeped in Native American tradition – like maple syrup, wild rice and forestry lands – are now recognized by USDA and benefit from Farm Bill funding opportunities. New Conservation Standards have been developed through the Environmental Quality Incentives Program (EQIP) and Wildlife Habitat Incentives Program (WHIP) to provide technical assistance for these traditional, native agricultural productions.

Though Red Cliff values this approach to include all Midwest tribes in USDA programs, we feel there are specific needs relative to our community that need technical assistance from the conservation agencies above administering Farm Bill funding. Red Cliff is, and always has been, a fishing community. The Tribe relies on Lake Superior to support its subsistence needs and anchor the local economy. Lake Superior is the community garden of the tribal membership. It has long been as steadfast as a row of corn or mound of squash.

The Tribe cultivates its rows through their Natural Resource Division’s management of the fishery. The Division sets quotas, seasons and effort restrictions to maximize production of their garden; much like a farmer makes decisions on a field to harvest the greatest yield. Management decisions made by the Division are taken to the tribal leadership for approval, and the membership’s commercial fishermen honor the harvest plan that their leadership ratifies.

At the conclusion of the fishing season, commercial fisherman store their harvest tools and rest the community garden to ensure fertility in the next growing season. Proper management of the commodity requires rest in the garden for the seed stock to germinate. Fishermen and tribal leadership

alike understand the needs of their crop and allow for target fish species to spawn without harassment. The Tribe reaps their harvest from the growing season then sews the seeds of future harvests by proper, scientifically-based fisheries management.

The garden of Lake Superior thus sustains the tribal membership. But the Red Cliff commercial fishery, through best management practices of their traditional agricultural commodity, also nourishes the U.S. population. In 2010 and 2011, agricultural commodity harvest of whitefish and lake trout by Red Cliff commercial fisherman in Wisconsin sent almost a million pounds of dressed fish to domestic markets (Gurnoe 2010 and 2011). Red Cliff commercial fisherman in Michigan waters of Lake Superior equaled Wisconsin harvests (unpublished catch data). Between the Wisconsin and Michigan fisheries, Red Cliff brought 2 million pounds of agricultural commodities to domestic markets in the last two years.

Beef, pork and poultry producers in the United States are provided technical assistance through a variety of USDA programs funded through Farm Bill legislation. Policies, procedures and regulations have continually evolved to better serve these industries through multiple renewals to the legislation. Equal opportunity however has not been provided to traditional farmers in Native American communities, especially in regards to Red Cliff's "farmers" who cultivate Lake Superior's community garden. Red Cliff's farmers have endured hardships without technical assistance, suffered crop losses without protection from the Supplemental Revenue Assistance Payments Program (SURE), and fought through the barriers of entering the industry as a beginning farmer without guaranteed low interest loans. A sustainable fish market delivered to U.S. markets has somehow endured without the federal assistance that nearly all other domestic agricultural producers rely upon.

Strategies to Address Needs

Inclusion of Red Cliff Commercial Fisherman in the NASS Agriculture Census

Every 5 years, USDA completes the NASS of applicable agricultural producers in the United States. The census is currently being updated with producers defined as those who that cultivate over \$1,000 of commodities in a given year. Scientifically-based fisheries management at Red Cliff has led to the average cultivation of \$7,080,000 of dressed lake trout and whitefish per year over the last two years, based on market value¹.

¹ Market value based on local price of \$6.95/lb. for whitefish and \$7.95/lb. for lake trout at Bodin Fisheries, WI.

Updating Farm Bill Language to Include Traditional Native American Agricultural Enterprises

Language that defines the policies, procedures and regulations in the 2012 Farm Bill needs to be updated to provide equal opportunity to traditional native agricultural producers. This will allow Red Cliff commercial fisherman full access to the technical assistance already provided to conventional agriculture producers in the United States. Equitability needs to be addressed in new legislation.

Continue WTCAC Support for Development of New Conservation Standards

The Wisconsin Tribal Conservation Advisory Council (WTCAC) was organized in March 2001 to identify tribal conservation issues and to advise the USDA Natural Resources Conservation Service on more

effective ways to deliver USDA programs and assist the Indian Nations of Wisconsin. This Conservation Advisory Council, authorized in the 1995 Farm Bill, was the first such council formed in the country. Because of the work WTCAC has performed, a number of new Conservation Standards have been created that address tribal needs.

Programs with Potential Benefit to Red Cliff Agricultural Producers

Beginning Farmer Loans

Direct Farm Ownership Loan Program (FO)

Direct Operating Loan Program (OL)

Noninsured Crop Disaster Assistance Program (NAP)

Supplemental Revenue Assistance Payments Program (SURE)

Value Added Producer Grant (VAPG)

References

Gurnoe, Shelly. March 2011. Red Cliff Commercial Fishery Statistics for the Wisconsin Waters of Lake Superior for the 2010 Calendar Year. Red Cliff Natural Resources Division Report.

Gurnoe, Shelly. February 2012. Red Cliff Commercial Fishery Statistics for the Wisconsin Waters of Lake Superior for the 2011 Calendar Year. Red Cliff Natural Resources Division Report.

Gurnoe, Shelly. Red Cliff Commercial Catch Data for Michigan Waters of Lake Superior, 2010 and 2011. Red Cliff Natural Resources Division, Unpublished Data.

USDA 2008. DR1350-001: Tribal Consultation Regulation. September 11, 2008.

Authors

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Marvin Defoe	Tribal Council Vice-Chairperson	marvin.defoe@redcliff-nsn.gov



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 (715) 799-4937, jdpyatskowitz@mitw.org

WTCAC Donation Form

The Wisconsin Tribal Conservation Advisory Council (WTCAC), formed in 2001, provides a forum for the 11 Native American Tribes in Wisconsin to identify and solve natural resource issues on tribal lands. The Council gives a strong voice to Tribes on conservation issues at the state and national level.

WTCAC has been determined to be tax exempt from Federal Income tax under section 501 (C) (3) of the Internal Revenue Code. Contributions to WTCAC are deductible under section 170 of the Code. WTCAC has been classified as a Public Charity under the Code Section 170 (b) (1) (A) (vi).

For WTCAC Records

Received from: _____

Address: _____

City, State, Zip: _____

The sum of \$ _____ as a contribution to the Wisconsin Tribal Conservation Advisory Council on this date of _____.

Donors Receipt

Received from _____ the sum of \$ _____ as a contribution to the Wisconsin Tribal Conservation Advisory Council on this date of _____.



Signed by WTCAC Treasurer _____

Bad River Band of Lake Superior Chippewa Indians	Forest County Potawatomi Community	Ho-Chunk Nation	Lac Courte Oreilles Band of Lake Superior Chippewa Indians
Lac Du Flambeau Band of Lake Superior Chippewa Indians	Menominee Tribe of Wisconsin	Mole Lake Band of Lake Superior Chippewa Indians	Oneida Tribe of Indians of Wisconsin
Red Cliff Band of Lake Superior Chippewa Indians	St. Croix Chippewa Indians of Wisconsin	Stockbridge-Munsee Indian Community	Great Lakes Indian Fish and Wildlife Commission

Commodity Production in Traditional Native American Agriculture:

Defining Red Cliff Commercial Fisherman as Agricultural Producers

In recent years, USDA has made tremendous strides in connecting with Native American tribes. Regulation updates on tribal consultation reflect the shift that Midwest tribes have noted in recent relationship-building efforts by the Department. Instead of dictating policies to the tribes that ultimately effect available programs and services, USDA now grants Indian tribal governments, “the maximum administrative discretion possible (DR1350-001).” The Regulation further encourages Indian tribes to “develop their own policies to achieve program objectives” and, where possible, “defers to Indian tribes to establish standards.” The USDA decision to, “fully consider the information, input and recommendations from tribes” is particularly encouraging.

The Red Cliff Band of Lake Superior Chippewa commends USDA on what we perceive as a major sea change from the willingness in the past to fully collaborate with tribal governments.

In addition to changes in consultation policy, agencies under USDA directly involved with the Farm Bill, like Natural Resource Conservation Service (NRCS) and Farm Service Agency (FSA), have worked diligently in the Midwest to broaden conventional definitions of agricultural enterprises in an effort to encourage tribal access and involvement with Farm Bill funding. By broadening conventional definitions of an agricultural producer in the United States, agricultural production steeped in Native American tradition – like maple syrup, wild rice and forestry lands – are now recognized by USDA and benefit from Farm Bill funding opportunities. New Conservation Standards have been developed through the Environmental Quality Incentives Program (EQIP) and Wildlife Habitat Incentives Program (WHIP) to provide technical assistance for these traditional, native agricultural productions.

Though Red Cliff values this approach to include all Midwest tribes in USDA programs, we feel there are specific needs relative to our community that need technical assistance from the conservation agencies above administering Farm Bill funding. Red Cliff is, and always has been, a fishing community. The Tribe relies on Lake Superior to support its subsistence needs and anchor the local economy. Lake Superior is the community garden of the tribal membership. It has long been as steadfast as a row of corn or mound of squash.

The Tribe cultivates its rows through their Natural Resource Division’s management of the fishery. The Division sets quotas, seasons and effort restrictions to maximize production of their garden; much like a farmer makes decisions on a field to harvest the greatest yield. Management decisions made by the Division are taken to the tribal leadership for approval, and the membership’s commercial fishermen honor the harvest plan that their leadership ratifies.

At the conclusion of the fishing season, commercial fisherman store their harvest tools and rest the community garden to ensure fertility in the next growing season. Proper management of the commodity requires rest in the garden for the seed stock to germinate. Fishermen and tribal leadership

alike understand the needs of their crop and allow for target fish species to spawn without harassment. The Tribe reaps their harvest from the growing season then sews the seeds of future harvests by proper, scientifically-based fisheries management.

The garden of Lake Superior thus sustains the tribal membership. But the Red Cliff commercial fishery, through best management practices of their traditional agricultural commodity, also nourishes the U.S. population. In 2010 and 2011, agricultural commodity harvest of whitefish and lake trout by Red Cliff commercial fisherman in Wisconsin sent almost a million pounds of dressed fish to domestic markets (Gurnoe 2010 and 2011). Red Cliff commercial fisherman in Michigan waters of Lake Superior equaled Wisconsin harvests (unpublished catch data). Between the Wisconsin and Michigan fisheries, Red Cliff brought 2 million pounds of agricultural commodities to domestic markets in the last two years.

Beef, pork and poultry producers in the United States are provided technical assistance through a variety of USDA programs funded through Farm Bill legislation. Policies, procedures and regulations have continually evolved to better serve these industries through multiple renewals to the legislation. Equal opportunity however has not been provided to traditional farmers in Native American communities, especially in regards to Red Cliff's "farmers" who cultivate Lake Superior's community garden. Red Cliff's farmers have endured hardships without technical assistance, suffered crop losses without protection from the Supplemental Revenue Assistance Payments Program (SURE), and fought through the barriers of entering the industry as a beginning farmer without guaranteed low interest loans. A sustainable fish market delivered to U.S. markets has somehow endured without the federal assistance that nearly all other domestic agricultural producers rely upon.

Strategies to Address Needs

Inclusion of Red Cliff Commercial Fisherman in the NASS Agriculture Census

Every 5 years, USDA completes the NASS of applicable agricultural producers in the United States. The census is currently being updated with producers defined as those who that cultivate over \$1,000 of commodities in a given year. Scientifically-based fisheries management at Red Cliff has led to the average cultivation of \$7,080,000 of dressed lake trout and whitefish per year over the last two years, based on market value¹.

¹ Market value based on local price of \$6.95/lb. for whitefish and \$7.95/lb. for lake trout at Bodin Fisheries, WI.

Updating Farm Bill Language to Include Traditional Native American Agricultural Enterprises

Language that defines the policies, procedures and regulations in the 2012 Farm Bill needs to be updated to provide equal opportunity to traditional native agricultural producers. This will allow Red Cliff commercial fisherman full access to the technical assistance already provided to conventional agriculture producers in the United States. Equitability needs to be addressed in new legislation.

Continue WTCAC Support for Development of New Conservation Standards

The Wisconsin Tribal Conservation Advisory Council (WTCAC) was organized in March 2001 to identify tribal conservation issues and to advise the USDA Natural Resources Conservation Service on more

effective ways to deliver USDA programs and assist the Indian Nations of Wisconsin. This Conservation Advisory Council, authorized in the 1995 Farm Bill, was the first such council formed in the country. Because of the work WTCAC has performed, a number of new Conservation Standards have been created that address tribal needs.

Programs with Potential Benefit to Red Cliff Agricultural Producers

Beginning Farmer Loans

Direct Farm Ownership Loan Program (FO)

Direct Operating Loan Program (OL)

Noninsured Crop Disaster Assistance Program (NAP)

Supplemental Revenue Assistance Payments Program (SURE)

Value Added Producer Grant (VAPG)

References

Gurnoe, Shelly. March 2011. Red Cliff Commercial Fishery Statistics for the Wisconsin Waters of Lake Superior for the 2010 Calendar Year. Red Cliff Natural Resources Division Report.

Gurnoe, Shelly. February 2012. Red Cliff Commercial Fishery Statistics for the Wisconsin Waters of Lake Superior for the 2011 Calendar Year. Red Cliff Natural Resources Division Report.

Gurnoe, Shelly. Red Cliff Commercial Catch Data for Michigan Waters of Lake Superior, 2010 and 2011. Red Cliff Natural Resources Division, Unpublished Data.

USDA 2008. DR1350-001: Tribal Consultation Regulation. September 11, 2008.

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WTCAC Donation Form

The Wisconsin Tribal Conservation Advisory Council (WTCAC), formed in 2001, provides a forum for the 11 Native American Tribes in Wisconsin to identify and solve natural resource issues on tribal lands. The Council gives a strong voice to Tribes on conservation issues at the state and national level.

WTCAC has been determined to be tax exempt from Federal Income tax under section 501 (C) (3) of the Internal Revenue Code. Contributions to WTCAC are deductible under section 170 of the Code. WTCAC has been classified as a Public Charity under the Code Section 170 (b) (1) (A) (vi).

For WTCAC Records

Received from: _____

Address: _____

City, State, Zip: _____

The sum of \$ _____ as a contribution to the Wisconsin Tribal Conservation Advisory Council on this date of _____.

Donors Receipt

Received from _____ the sum of \$ _____ as a contribution to the Wisconsin Tribal Conservation Advisory Council on this date of _____.



Signed by WTCAC Treasurer _____

Bad River Band of Lake Superior Chippewa Indians	Forest County Potawatomi Community	Ho-Chunk Nation	Lac Courte Oreilles Band of Lake Superior Chippewa Indians
Lac Du Flambeau Band of Lake Superior Chippewa Indians	Menominee Tribe of Wisconsin	Mole Lake Band of Lake Superior Chippewa Indians	Oneida Tribe of Indians of Wisconsin
Red Cliff Band of Lake Superior Chippewa Indians	St. Croix Chippewa Indians of Wisconsin	Stockbridge-Munsee Indian Community	Great Lakes Indian Fish and Wildlife Commission

WTCAC – EPA Region V Updates/Info April 2012

- FY 2012 Tribal Pesticide Special Projects.
<http://epa.gov/region5/business/tribalpest.html>
\$122,000 total available / \$60,000 max per award
Deadline April 18, 2012, 5:00 PM Central Standard Time (CST)
More Info: Amy Mysz, mysz.amy@epa.gov, 312-886-0224
- Environmental Workforce Development and Job Training Grants
<http://www.epa.gov/oswer/docs/grants/epa-oswer-oblr-12-03.pdf>
\$2.8 Million Total Available / Est. 14 grants
Proposals are due by April 12, 2012
More Info in ePacket
- Emergency Contacts for WI Tribes
Still need emergency contact information from a few WI Tribes.
Important for notification of emergencies and for receiving info on trainings and exercises.
- Status of TEA Renewal Process
EPA Divisions are slowly completing their parts of the template.
Going state by state (WI last), so it may be some time before templates with Division edits are out to Tribes.
- Melinda Danforth Resignation as R5 RTOC Co-Chair
Will remain on as WI RTOC Representative.
New R5 RTOC Chair will be selected at next tribal caucus.
- Selected Consultations:
 - 05/15/2012 EPA Climate Change Adaptation Plan (Contact: Gerald Filbin
Filbin.Gerald@epamail.epa.gov , 202-566-2182)
 - 04/15/2012 EPA R5 Review of WI 303(d) List, (Contact: Marcy Kamerath, at
kamerath.marcy@epa.gov , 312-353-5784)
 - 04/17/2012 Steam Electric Effluent Limitations Guidelines Proposed Rulemaking (Contact:
Jezebele Alicea, alicea.jezebele@epa.gov , (202) 566-1775)
http://water.epa.gov/scitech/wastetech/guide/steam_index.cfm#point8
 - Complete list of consultations: <http://yosemite.epa.gov/oita/TConsultation.nsf/TC?OpenView>
- Draft National Water Program Strategy: Response to Climate Change (2012)
<http://water.epa.gov/scitech/climatechange/2012-National-Water-Program-Strategy.cfm>
See above link or additional info in ePacket for instructions on how to comment.
- Draft Tribal Building Codes Template
Comments due by April 15th.
Copy of draft included in ePacket

More Info: tribalcodes@epa.gov or 415-972-3206.

- Webinar Clearing up Climate Confusion - Wednesday, May 16, 2012, 1:00-2:00 p.m. EDT
Union of Concerned Scientists – Facts and Talking Points for Communicating with Public
Sign Up Online: http://www.ucsusa.org/global_warming/what_you_can_do/desk-reference.html
- Public Participation Guide & Toolkit
(Designed to help governments and organizations develop effective ways to engage the public in environmental issues)
Available Online @: <http://www.epa.gov/international/public-participation-guide/index.html>
More Info: Shereen Kandil (EPA DC) kandil.shereen@epa.gov
- TRIBAL GREEN CASINOS AND ENVIRONMENTAL TOBACCO SMOKE WORKSHOP
Week of September 17, 2012 - Grand Portage MN
More info: Fayette Bright, bright.fayette@epa.gov , 312-886-6069
- Free Energy and Mold Onsite Technical Assistance Visits – HUD
“Site visits are FREE and consist of three days of housing energy assessments and technical assistance. The site visit results in a report serving as a plan of action for the tribe to address current and future mold and mildew problems and indoor air quality issues. In addition, the report will recommend strategies for the tribe to improve energy efficiency”
Contracted by HUD through FirstPic, Inc
Site visit form included in ePacket.
Contact: Sara Fiala 202.393.6400 (p) sfiala@firstpic.org
- BIA Water Resources Technical Training Program:
Applications are due by April 20, 2012
U of A - Tucson, Arizona from July 8, 2012 to August 3
Program Booklet and Announcement Included in ePacket.
Contact: Mo Baloch, Mohammad.Baloch@bia.gov , (202) 208 – 6042
- New trainings posted: <http://water.epa.gov/learn/training/tribaltraining/curriculum12.cfm>
 - Infrastructure Operation and Maintenance (O&M), and Management Training for Tribal Water and Wastewater Operators and Leaders (Multiple dates and locations)
 - Workshop on Nonpoint Source Pollution Management and the Watershed Approach - April 24 – April 26, 2012 in Tulsa, Oklahoma
- Clean Diesel Competitive Grants
Conf Call April 12th, Watch for RFP in Early April
<http://www.epa.gov/otaq/diesel/prgnational.htm>
More Info: Rosalva Tapia, Tapia.rosalva@Epa.gov, 202-343-9534



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FSA REPORT TO WTCAC – APRIL 4, 2012

By Susan Hunter, FSA Tribal Liaison (715) 362-5941 ext 104, susan.hunter@wi.usda.gov

Conservation Reserve Program (CRP) Signup – April 6th is the deadline to sign up and bid on eligible acres under CRP at the local FSA office. Producers and landowners can offer bids on eligible cropland to put in conserving covers for annual payments. For more information on the eligibility and evaluation/ranking of offers, visit <http://www.fsa.usda.gov/crp>

E-Newsletters from FSA – Local FSA offices cannot mail hard copy newsletters anymore due to the high cost. If anyone wants information on local FSA programs and services emailed directly to their home or office, they should contact their local FSA office to provide their email address and sign up for the e-news.

Highly Erodible Land (HEL) and Wetland Compliance (WC). Anyone applying for or participating in USDA programs are required to have a conservation system in place on all highly erodible land (HEL). Renting new cropland, purchasing new land, breakup additional land, changing crops, and changing or removing existing conservation practices can result in compliance issues. Participants are encouraged to contact their local FSA or NRCS county office before taking any of the above actions. In addition, it is important that producers and landowners contact FSA or NRCS before modifying, tilling, draining, dredging, filling or leveling any wetland or drainage ditches. Failure to obtain advance approval for any of these activities can result in loss of all federal payments and program eligibility.

Farm and Youth Loans – FSA has targeted funds available for minority, women and beginning farmers/individuals looking to start or supplement a farm operation. There are also funds available for youth ages 10-20 to start an agricultural related money making business. For more details contact the local FSA farm loan official.

Fact Sheets for all the FSA programs are available at the FSA website: <http://www.fsa.usda.gov> (click on “Find FSA Fact Sheets” in the right hand “I Want To....” column)