

Wisconsin Tribal Conservation Advisory Council Meeting Minutes
Wednesday, March 9 and Thursday, March 10, 2011
NRCS State Office, Madison, Wisconsin

Meeting Called to order at 12:34 pm by Jonathan Pyatskowitz.

1. Roll Call

Present: Bad River (Cyrus Hester), FCPC (Nate Guldán), LCO (Brett McConnell), Menominee (Jonathan Pyatskowitz), Mole Lake (Roman Ferdinand), St. Croix (Tony Havranek), Stockbridge-Munsee (Luke Hennigan). A quorum is present.

Others present: Eric Chapman Sr (Lac du Flambeau), Jeff Mears (Oneida), Kathy Mayo (US EPA), Jerry Thompson (WTCAC), Susan Hunter (FSA)

2. US EPA IEO Update

Kathy Mayo – This may be her last meeting, as they are hoping to have the position filled shortly, they need to choose someone by March 23. She will likely return to Water Division in a month or two.

IEO Director Position – the position was reposted in hopes of getting a larger number of qualified applicants. Tribal input will probably not be allowed on the selection. The position will be posted a third time. More details at next Caucus meeting.

Green travel initiative – EPA Regional Administrator (RA), Susan Hedman, wants the entire region to reduce airline travel by 25%. Deputy RA, Bharat Mathur said he would like to see all IEO travel reduced by 20%. If EPA IEO staff needs to get out and see things, Willie will not say no, they just want to encourage using conference calls, video conferencing, webinars/webcasts when possible.

Consultation Work Group – Eric Chapman is on the workgroup. This group is working on developing implementation procedures for the EPA National Consultation Policy. They do have a draft document. The next meeting is March 17. Willie Harris is the Tribal Consultation Advisor (TCA). Once draft is done it will be distributed amongst the EPA upper management. After the workgroup responds to EPA management concerns, the EPA-approved draft document will be distributed to tribes for comment. This is guidance on how they are going to implement the policy; they are not consulting on it just asking for input. There is an attempt to make it flexible in Region 5. They hope to have something by early summer.

Nate brought forward an issue with PPG grant. He had been informed that PPG grants would be moving to one year grants. Kevin asked about having a discussion on this at EPM Conference.

Grant consistency workgroup – They have only had one call. They have had quite a few meetings internally. Very strange first meeting, the conference call started out with an attorney saying that if this was a workgroup it may need to be submitted for approval. EPA folks went on to have an internal meeting and did not address the 3 tribal representatives. They discussed personnel issues and how they deal with staff. One tribe in MN was submitting one DBE form for all grants, why can't we do this? Another complaint was that their work plan reports came back with grammar corrections; they do not need to do this. Jeff felt they were rather defensive. All programs are requiring different things and that was what they are trying to get at. Can we call Willie directly to try and get this moving? Maybe on the caucus call, get it funneled up through caucus members, Jeff can bring this forward. It was first discussed in 2009 and it finally got started up. Eric could call him as well.

EPM Conference – Kathy has the latest draft agenda for EPM conference. Climate change - we want to understand how to integrate climate change into existing grant programs.

EPA Budget – The tribes look pretty good, even though EPA is getting large cuts. It looks pretty steady and the President's FY12 budget still has money in it for Tribal multimedia grant.

3. Tribal Science Council Proposals

- Jeff went through the new national tribal science priority process. Work with EPA to identify what Tribes need. Each individual tribe can go on line and recommend priorities. TSC has direct access to Lisa Jackson. What is the specific science priority of the environmental priority?
- Tony indicated an issue with accessing peer reviewed articles – look into having WTCAC have access to online database
- Jerry will send out web address
- MI and MN have monthly mining meetings – it would be good for WI tribes to participate in mining calls
- BIA new rules for fee to trust – will be discussed at EPM Conference – Jerry will send out emails with Mille Lacs Issue on this

4. RTOC Updates

- Handout to Willie Harris from Eric Chapman that listed proposed WI RTOC agenda items – lead/cultural issues, RTOC bylaws and elections of new RTOC Co-Chair, and the issue of PPGs moving to one year grants.
- Willie Harris thought that the issue with NTOC being scheduled at the same time as RTOC should be discussed in tribal caucus, we disagree. Willie Harris also suggested the RTOC bylaws and election issue should be raised at the Caucus meeting right before RTOC.
- It would be good to get elected officials at the next RTOC as JoAnn Chase will be there.

5. NTOC Update

- Indirect Cost Rate issues
- Unobligated funds – if you have a grant that hasn't had any activity in 180 days they can pull the grant back
- NTOC will be having elections
- Meeting at end of March but full meeting in July

6. Issues that do not involve RTOC

QAPPs – Kathy talked to water division to see if they could set up a clearing house. EPA set up a website where they can do that. Kathy can send invites to everyone to get access. There are 2 or 3 QAPPs on each topic in there. Kathy could send out invitations. The conclusion of the discussion was not to go through EPA. Tribes thought sharing the QAPPs separate from EPA may be a better option. Maybe we can share QAPPs via WTCAC's website?

7. Consultation Opportunities

- EPA HQ Climate Change Strategy
- Great Lakes Water Quality Agreement – not many comments on this agreement

8. Miscellaneous

- Comments on WI draft tribal caucus fact sheet
- We all appreciate the time the Kathy has put into coordinating the meetings and bringing forward issues that she thinks are important for us to know about! We appreciate her helping us plan the meetings and agenda!
- TEA progress review – no other regions do them – Kathy will send something out on what EPA has done with our TEA

9. Announcements/Next Meeting/Open Forum

- Jerry was on a webinar this morning on GLRI. There is a possibility that he could put an invasive species proposal together through WTCAC for GLRI.
- Bad River is having a public meeting on their Water Quality Standards on March 28.
- The next meeting with the Tribal Caucus on the agenda will be the week of May 9 at Bad River.

Meeting adjourned for the day at 4:14 pm.

Thursday, March 10

Meeting called to order at 8:09 am by Jonathan Pyatskowitz.

1. Roll Call

Present: Bad River (Cyrus Hester), FCPC (Nate Guldán), LCO (Brett McConnell), Menominee (Jonathan Pyatskowitz), Mole Lake (Roman Ferdinand), Oneida (Pat Pelky), St. Croix (Tony Havranek), Stockbridge-Munsee (Luke Hennigan)

Others present: Jeff Mears (Oneida), Michael Dutcher (APHIS-VS), Kathy Mayo (US EPA), Sheryl Paczwa (NRCS), Renae Anderson (NRCS), Jerry Thompson (WTCAC), Tom Melnarik (NRCS), Pat Leavenworth (NRCS), Susan Hunter (FSA), Stan Gruszynski (Rural Development)

2. Approval of Agenda

MOTION: Motion to approve agenda. Motion by St. Croix, seconded by Oneida. All ayes, zero opposed, motion carried.

3. Approval of Minutes

MOTION: Motion to approve the January 26, 2011 minutes. Motion by Stockbridge-Munsee, seconded by LCO. All ayes, zero opposed, motion carried.

4. NRCS Update

- Sheryl Paczwa – There is a NRCS nationwide effort for every state to complete a State Resources Assessment. End product will be a series of GIS maps that will look at the location of resource concerns. They will have a national product with consistent concerns throughout. It will be used to identify priority areas. They need our help identifying resource concerns on tribal lands. Land ownership layer, tribes, counties, streams, rivers, etc. Soils info, floodplains, land uses. They would like to get data layers from Tribes such as land ownership layers. They have a State GIS specialist that would contact each Tribe's appropriate person. They need to have it completed by June 1.

- Pat Leavenworth – They are in a flux right now in terms of budget; they are good for another week and a half. They have been zeroed out in a couple of areas, the big one is watersheds but they don't have a lot of big projects here in Wisconsin (flood control projects). She feels they are in good shape and should get through very uncertain times as they had good healthy signups. She is going to be a conference at Wingspread in May which is a center founded by the Johnson Foundation. They fund workshops for groups that want to vet certain issues; it is a mainstreaming indigenous knowledge for sustainability work shop. Senator Johnson's agriculture contact is Melinda Whitemarsh. They still have not found out who Reed Ribble's contact is. Reed is on the House Ag Committee. She has not heard anymore on the fisheries initiative. Hoping to get some funding for it this year. A question was asked wondering if any practices for renewable energy have been developed. She said that she has not heard anything recently.

5. APHIS Update

Michael Dutcher - There budget is extremely up in the air and they are living week to week – they don't even know if they will be working in 10 days. They are not sure what funding level they will even have for VHS and CWD. 2012 looks like it may be even tighter. Terry Clark doesn't anticipate extra funding, if a Tribe that currently has a project with them and they don't want it, it may be able to use for other tribes. They will be at the TCAC training. Within the last week he was contacted by Terry Clark to work on a group that is working on Tribal Consultation. Tony indicated that the Tribes may be able to get \$90 per EAB trap. There is only 1 tribe interested in doing VHS collections (St. Croix). He has money left over from the last VHS agreement and there may be enough money left over to cover next year's collections, can he extend the current agreement? Mic will ask about it, he suspects no, but he will check. Tony would actually only need it extended a couple of months. Mic said that would definitely be possible.

6. FSA Update

Susan Hunter passed out a handout (attached). Deadline for coverage for 2012 wild rice would be this December. Still looking for info from tribes that had loses in 2009 and 2010. Indian Tribal Land Acquisition Programs – no requirement to allow public access on the land and has to be inside the exterior boundaries. Tribe must provide denial letters from 3 vendors and one must be BIA. They need to know who the THPO is for each tribe. Any questions direct them to Susan as she is the State Tribal Liaison.

7. Rural Development

Stan Gruszynski – Continuing resolutions are very tough on them; these are difficult times for them. USDA Secretary Vilsack is very committed to the mission of USDA.

8. TCAC Training

Jerry handed out the brochure for the TCAC training.

Handout from Jerry – Make your room reservation ASAP for TCAC training- block of rooms is under WTCAC.

If anyone can get together Monday before in the afternoon to help finalize everything please let him know.

MOTION: Motion to pay travel costs for TCAC training participants on a first come, first serve basis up to, but not to exceed, the total training budget. Motion by FCPC, seconded by Oneida. All ayes, zero opposed, motion carried.

The Stewardship Report won't be ready until next week.

9. GLRI

Get a hold of Jerry if you are interested in WTCAC putting together a proposal for control of Invasive Species through the GLRI.

10. Technical Recommendations

Jonathan past out a list of the technical recommendations WTCAC will be making.

Brett figured out that it would cost about \$400 an acre to plant rice at \$4 a pound.

11. EQIP/WHIP

An issue came up. WTCAC had worked out a process to ensure that our EQIP/WHIP applications did not exceed WTCAC's allocation. We were way under after the January meeting so then we put it out to see if anyone had extra projects they wanted to submit, however a project was increased after the meeting so we actually exceeded our allocation and no extra projects were submitted. Lac du Flambeau did not present their final calculations at the January meeting and their final request was higher than what was presented. This pushed WTCAC over its allocation; however NRCS allocated more money to WTCAC so we did not have to rank against each other. WTCAC needs to develop an SOP to try and avoid this in the future. We likely will need to make a motion to approve each WHIP and EQIP Project.

12. Alaska Outreach Report

Jerry attended the Alaska Natives Economic Summit. He gave a presentation at the summit and used our resource concern sheets to do a workshop on resource concerns. He couldn't even figure out how the Alaskan Tribes could participate in NRCS programs based on Alaska NRCS's website. Three of them have developed Tribal conservation districts and some have never even

seen their NRCS liaison. They were told that they need to come up with their own plans and present to NRCS.

13. Official Technical Meeting

There was a discussion on the Technical Service Provider (TSP) certification process. They do not yet have the funds but they should soon, the real benefit is the capacity building with tribal staff and the efficiency and streamlining it could produce on practices with NRCS. They would want to develop a contract, perhaps with Menominee College to have them run through this process and develop it and get some people certified. They are anticipating they will get these funds and WTCAC is interested in working on this. They will proceed under the assumption that WTCAC will be involved as well as Menominee College.

EQIP – Tom Krapf – Question on ranking questions, do the tribes have the flexibility to change the state question? The answer is yes. The only ones that can't be changed are the national ones.

Update on Fisheries Initiative – they had good meetings this fall when they were out and looked at different sites, they put together what they thought was a pretty good initiative. It got put sent to the WHIP program manager at Headquarters, they have had a couple of different phone calls with him. One comment was why we didn't focus more of our time with habitat concerns. They just want to press on and try to get it going. **Get Jon info if you would be ready to go with a project this year and he will get it to Tom Krapf**

Student Interns - We had applicants for all 5 positions. Spooner had 3 applicants and they picked one (Derrick Taylor). Rhinelander had 1 applicant. They made a reference call but Tom has not heard officially, Michael still wants to have an interview with him. Shawano had 2 applicants and they are making a recommendation to hire him, Michael Arce. Oneida had 3 applicants; one went to the Michael Arce (he went to Shawano), Garret Miller, and Melissa Johnson. They are leaning toward Melissa as she already has an Associate Degree. They are going to interview them next week. APHIS had one applicant, Mr. Wiggins.

Technical Recommendations (attached)

- 1) Fish Cribs – Proposal for a fish crib scenario
- 2) Increase incentive for wood duck houses
- 3) Bat Houses – Add to Upland Wildlife Habitat (645)
- 4) Request for clarification on change in Wild Rice seeding
- 5) Tribal fisheries initiative
- 6) Explore adding NRCS energy conservation practices to Tribal EQIP docket

14. Small Projects

Mole Lake submitted a request of \$33,487 for a project entitled “Swamp Creek Hydraulic Controls Assessment.” Jerry indicated that it meets the intent of the grant.

MOTION: Motion to approve Mole Lake’s Swamp Creek Hydraulic Controls Assessment for \$33,487. Motion by Oneida, seconded by Stockbridge-Munsee. All ayes, zero opposed, Mole Lake abstains, motion carried.

St. Croix submitted a request of \$22,125 for a project entitled “St. Croix miinan (blueberry)/aninaatig (sugar maple) Habitat Restoration Initiative.” Jerry thinks it will meet the intent of the grant, but wants to take a look at the revision.

MOTION: Motion to approve St. Croix’s project “St. Croix miinan (blueberry)/aninaatig (sugar maple) Habitat Restoration Initiative” for \$22,125 on the condition that Jerry accepts the revised workplan. Motion by FCPC, seconded by Oneida. All ayes, zero opposed, St. Croix abstains, motion carried.

Oneida submitted a request of \$6,536 for a project entitled “Aquaponics Project at Tsyunhehkwa Farm in Oneida Nation.” Jerry indicated that it meets the intent of the grant.

MOTION: Motion to approve Oneida’s Aquaponics Project at Tsyunhehkwa Farm in Oneida Nation for \$6,536. Motion by Stockbridge-Munsee, seconded by St. Croix. All ayes, zero opposed, Oneida abstains, motion carried.

Ho-Chunk submitted a request of \$9,470 for a project entitled “Species Composition Inventory; with an emphasis on threatened, endangered, and culturally significant resources.” Jerry indicated that it meets the intent of the grant.

MOTION: Motion to approve Ho-Chunk’s Species Composition Inventory; with an emphasis on threatened, endangered, and culturally significant resources for \$9,470. Motion by Oneida, seconded by FCPC. All ayes, zero opposed, motion carried.

Red Cliff submitted a request of \$15,000 for a project entitled “Red Cliff Mino BimaadiziiwinGitigaaning (Return to the Good Life Farm).” FSA will assist with this project. It falls under People’s Garden Initiative. Jerry indicated that it meets the intent of the grant.

MOTION: Motion to approve Red Cliff’s Red Cliff Mino BimaadiziiwinGitigaaning (Return to the Good Life Farm) project for \$15,000 on the condition that a final budget is submitted and approved. Motion by Mole Lake, seconded by Oneida. All ayes, zero opposed, motion carried.

15. WTCAC Logo

The final version of the logo was sent to Jerry.

16. INCA and AIANEA Membership

MOTION: Motion to join INCA and AIANEA. Motion by Oneida, seconded by FCPC. All ayes, zero opposed, motion carried.

17. INCA Board

MOTION: Motion to recommend Jonathan Pyatskowit for the vacant Board of Directors position on INCA. Motion by FCPC, seconded by Bad River. All ayes, zero opposed, motion carried.

18. WTCAC Fiscal Year

Dave Armstrong says WTCAC is operating on a September 30 fiscal year, IRS says it is October 31. We need to amend bylaws to change it to a January – December fiscal year to make things simpler. Nate will send out a notice.

19. Website

There are issues with the website. Send things to Jordan to have him upload them.

20. Next Meeting

The next meeting will be the morning of April 5th at the TCAC training in Oneida. The May meeting is scheduled for May 10 and 11 at Bad River.

MOTION: Motion to adjourn. Motion by Stockbridge-Munsee, seconded by FCPC. All ayes, zero opposed motion carried. Meeting adjourned at 5:17 pm.



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FSA REPORT TO WTCAC – MARCH 2011

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

Non-Insured Assistance Program (NAP): Deadline to obtain 2011 loss coverage for spring seeded crops, fruits, vegetables, is coming up on March 15th. This coverage is available through FSA and costs \$250 per crop, not to exceed \$750 per county.

Wild Rice Eligibility: I'm still working with my State FSA office and the Minnesota FSA State office on eligibility of Lake wild rice for our Non-Insured Assistance (NAP) program that provides minimal loss coverage and for the SURE Crop Disaster Program. Tribes who suffered losses in 2009 or 2010 should start gathering all the information they can about their wild rice operations.

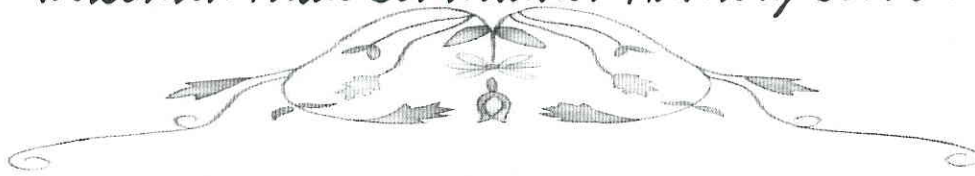
Biomass Crop Assistance Program (BCAP): The program is moving along very slowly and to date there are no project areas proposals in place. These project areas are now required in the final ruling that has been out for a short time now. Also our agency has recently issued the operating handbook for the program. Right now there are only two WI Biomass Conversion Facilities (Oconto and Ladysmith) whose eligibility recommendation has been submitted to the national FSA office and only three nationwide that have actually been approved – one in Iowa and two in South Dakota. Until we have any eligible facilities, there will be no activity in the program. Plus we are still waiting for directives on how woody materials will be handled. If anyone is interested in reading up on the program, visit the following website:

<http://www.fsa.usda.gov/FSA/webapp?area=home&subject=ener&topic=bcap>

Emergency Forest Restoration Program (EFRP): Participants in the Emergency Forest Restoration Program (EFRP) will use the money to implement emergency forest restoration practices, including emergency measures necessary to address damage caused by a natural disaster to natural resources on nonindustrial private forest (NIPF) land and restore forest health and forest related resources on the land. The damage from the natural disaster must have occurred on or after January 1, 2010 and if the damage is left untreated it would impair or endanger the natural resources on the land and materially affect future use of the land. To be eligible, areas that suffered eligible damage must be established by the local FSA County office and requests for implementation & funding must be approved. These requests must include the following information: date and type of disaster, names of counties or parts of counties involved, map of affected area, including county names and boundaries, practices required to solve the problems and a request for allocation of funds. If any tribes suffered losses to their forested land (such as Ho-Chunk), they should start putting together the information needed above.

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)

Wisconsin Tribal Conservation Advisory Council



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Wisconsin Tribal Conservation Advisory Council Technical Recommendations

to

State Conservationist Patricia Leavenworth
March 10, 2011

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

Menomonee 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

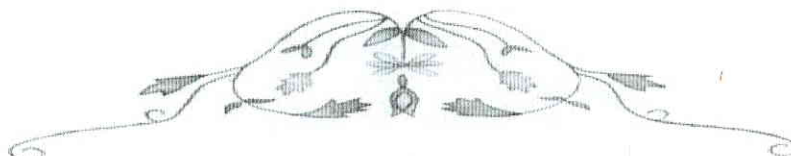
Stockbridge-Munsee Indian
Community

- 1) WTCAC recommends adding a scenario to the Wetland Wildlife Habitat (644) for Fish Crib in the tribal EQIP and WHIP docket.

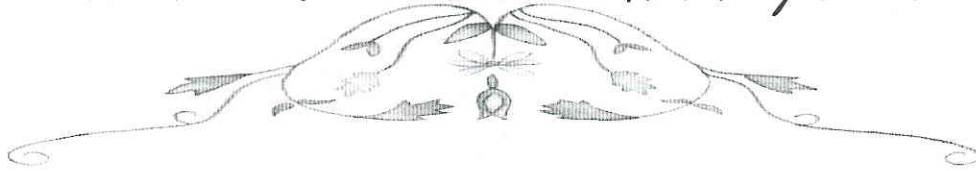
Scenario: Fish Crib Construction and Installation

a. Aqua Crib or other structure:	\$106.30
b. Concrete blocks (2 per crib)	\$4.50
c. Rope	\$2
d. Labor (3 man hours for brush collection, construction of crib, stuffing brush, boat transportation)	\$68
e. Total Estimated Cost	\$181

- 2) WTCAC recommends increasing the incentive for the wood duck house scenario in the Wetland Wildlife Habitat (644) from \$36.00 to **\$86.50**.
 - a. Scenario: The justification for the cost increase for this scenario is the actual cost of using cedar as the preferred material for construction.
- 3) WTCAC recommends adding the following scenario to Upland Wildlife Habitat (645).
 - b. Scenario: Construction and installation of bat houses
- 4) WTCAC requests clarification from NRCS on Wetland Wildlife Habitat (644) scenario #6 Wild Rice Re-seeding as to why the rate was changed from \$735 to \$246 without WTCAC consultation. WTCAC does recommend that the incentive increase to \$??\$/acre for up to three years.



Wisconsin Tribal Conservation Advisory Council



- 5) WTCAC supports the NRCS Wisconsin Tribal Fisheries Initiative. WTCAC recommends that Fish Raceway (398) be available under this initiative and that NRCS consider an aeration scenario possibly within the Fishpond Management (399) practice.

- 6) WTCAC recommends that NRCS explore adding energy conservation practices to the tribal EQIP docket. Wind generators, photovoltaic lighting, and solar tubes are items of tribal interest. WTCAC is willing to dialogue with NRCS as to potential ways to access energy conservation practices.

