

Wisconsin Tribal Conservation Advisory Council Meeting Minutes
Monday, November 3, 2008
Lac Courte Oreilles

Meeting called to order by Jonathan at 9:08 am.

1. Roll Call

Present: FCPC (Nate Guldán), Oneida (Pat Pelky), Menominee (Jonathan Pyatskowit), LCO (Brett McConnell), St. Croix (Katie Stariha, Tony Havranek, Jamie Thompson), Stockbridge-Munsee (Chad Miller, Bob Frank), Mole Lake (Roman Ferdinand), Lac du Flambeau (Scott McDougall), Ho-Chunk (Greg Blackdeer)

Others Present: Jim Thannum (GLIFWC), Keith Sengbusch (NRCS), Randy Gilbertson (NRCS), Tom Fredrickson (NRCS), Mike Koehler (NRCS), Tom Cogger (NRCS), Greg Yakle (NRCS), Maureen Gallaher (USFWS), Jerry Thompson (NRCS), JoAnn Cruse (APHIS), David Armstrong (Judicare), Chris Borden (Pri-Ru-Ta RC&D)

2. Approval of Minutes

The October 8, 2008 minutes need to be amended to indicate the hard work of Jean Buffalo in getting the earmarks and to change LDF to Stockbridge-Munsee in those present.

MOTION: Motion to approve July 23, 2008 and August 12, 2008 meeting minutes and to approve October 8, 2008 meeting minutes with amendments. Motion by LCO, seconded by Oneida. All ayes, zero opposed, LDF abstained, motion carried.

3. NRCS Update

Jerry Thompson gave the NRCS update. There is very little at the present time. Pat Leavenworth thought she would get the state budget on Thursday or Friday but it never came. They do not currently know if they have a budget or not and are waiting to hear from headquarters. There are lots of retirements occurring and shuffling around of personal at headquarters.

Tribes are now considered historically underserved and qualify for up to 90% cost share not to exceed 100% of the actual project cost. Because invoices are not required to be turned in, NRCS is trying to figure out how to document whether the flat rate they are paying is more than the actual practice cost. They will have to address how their contracting software works.

There may be a cap on funds that each Tribe can receive throughout the duration of the new farm bill, Jerry is checking on this. There is a worry that Tribes may approach a cap with the new 90% cost share rate.

NRCS headquarters contacted Jerry a couple of weeks ago about the Cooperative Conservation Partnership Initiative (CCPI). Under the CCPI, Tribes could develop their own programs and headquarters contacted him to see if WTCAC could draft something.

We are already doing what the purpose of CCPI says by helping enroll Tribes in various programs (CRP, EQIP, WHIP, etc). Furthermore, it indicates the state conservationist would set aside funds for groups under the CCPI and Pat Leavenworth already does this for WTCAC (This is the only state where set asides for Tribes is occurring). WTCAC would have to identify criteria we would use to award money for EQIP and WHIP. We have a ranking sheet already developed. The problem is that overhead and administrative costs may not be covered by this initiative. Furthermore no other federal funds can be used and, depending on how the proposal is structured, we could possibly lose some NRCS technical assistance and engineering design. Other NRCS partners (such as Land Conservation Departments) have technical staff on board that can do this work. We would have to hire a contractor to engineer the projects or do them ourselves.

Jerry asked the other Federal Agencies present how they handled funds passed through to Tribes. Their RFP's include financial assistance to do projects as well as technical assistance for Tribal staff. NRCS currently does not give us soft money to spend as we please. We may want to have influence to change CCPI rules so that we could still keep technical assistance because Pat Leavenworth will not be here forever and we want to ensure that we continue receiving set aside money.

4. APHIS Presentation

JoAnn Cruse gave an update of EAB in Wisconsin. There is currently a 2 – 2.5 mile wide area of infestation in Washington and Ozaukee Counties. Email JoAnn any of the EAB trap data you may have (Joann.M.Cruse@aphis.usda.gov).

5. Wildlife Subcommittee

Bob Frank gave the update on the Wildlife Subcommittee. Bob's notes from the October 10, 2008 State Technical Advisory Board Wildlife Subcommittee meeting are attached. If we can find any EQIP practices with wildlife component they can be funded under WHIP this year. New practices we need to have suggestions in early May. For the new Farm Bill, new practices can be added so we need to come up with the recommended practices. The Tribes need to ID species (animal and plant species, invasives) of concern to each Tribe and the habitat types. We can then potentially get these species added to the Wisconsin list of species of concern. The species of concern can be defined as a species of concern just for Tribes, does not have to be on state or federal list as long as it can be documented. Example: Non-native plants encroaching on ephemeral wetlands. Make sure that special interests groups do not do things the Tribes do not want to see done. **The next meeting is November 19, so email Bob by November 17 what each Tribes species of concern are and the type of habitat they are found in.**

Bob.frank@mohican-nsn.gov 715-793-4044

There is also a forestry subcommittee on which we should get someone from WTCAC.

6. National Fish Habitat Action Plan

Presentation by Maureen Gallagher (NWMSU Dept. Geol/Geog, 800 University Ave., Maryville, MO 64468; Maureen_gallagher@fws.gov; 660-562-1008) with USFWS and regional coordinator of NFHAP (PowerPoint Presentation). They were formed to protect,

restore, and enhance fish habitat through partnerships. They are currently 6 partnerships under this plan (having governing structure, strategic plan, habitat assessments) and 14 additional ones that have candidate status. Candidate status means they have submitted a letter of intent confirming interest to get recognition. The only actual partnership in Midwest is Driftless Area Restoration Effort.

FHP's (Fish habitat partnership) are primary work units of action plan and diverse array of public, private, and non-private entities. They are formed around distinct geographic areas, keystone fish species, and system types.

What do FHP's do? Implement action plan, perform a regional assessment, develop a strategic plan, coordinate and seek resources for projects, evaluate results of projects, report outcomes to board.

There is 1.53 million in budget to support on the ground partnership projects. They are looking to develop some kind of Tribal review process before Action Plans are finalized. GLIFWC is involved for Chippewa Tribes. How do non-GLIFWC tribes get involved? There is also the Great Lakes Basin Partnership which currently has candidate status

Can WTCAC partner with these groups?

7. Soils Presentation

Chris Borden discussed the soil viewer developed by NRCS. Please provide a date when Chris Borden can come to each Tribe to meet with people that use soil data and give them training on the soil viewer.

8. Small Project Final Report

FCPC (Nate Guldán) presented on Bug Lake Boat Landing Restoration Project. Originally \$20,000 was allocated for the project but it only cost \$17,455. There was a discussion that boat landings should be able to be covered under EQIP as long as they are referred to as shoreline stabilization or erosion reduction projects.

MOTION: Motion to accept final report from FCPC for the Bug Lake Boat Landing Restoration Project and approve a payment of \$17,455 to FCPC. Motion by Oneida, seconded by St. Croix. All ayes, zero opposed, FCPC abstained, motion carried.

9. Judicare (David Armstrong)

David indicated that the retainer is signed with Judicare. David informed us that we should have been filing taxes since we started receiving money from the earmarks and the APHIS EAB grant. Therefore, we will need to file IRS 990 forms back 3 or 4 years. Because we have not been filing, there is the potential that the IRS could fine us \$150,000, however he said that this is highly unlikely. We will file 501(c)3 app by 1st of year, when it gets granted we need to have 990 tax forms ready to go. We will then submit a letter to IRS indicating we did not know we needed to file taxes and hopefully they will not fine us. For people we have contracted (Ritchie, Vision Quest, Jean Buffalo), we need to get IRS 1099 forms sent to them for each of the calendar years they

were paid. Furthermore, we may need to send 1099 forms to Tribes that have received any small grant money and possibly also for travel reimbursements, David will check on this for us. Nate will be pulling together financial info and set up a meeting with Judicare to complete the forms.

10. Federal Appropriation Process (Jim Thannum)

WTCAC needs to find out if past staff members of Obey and Kohl are the same that worked on original earmarks; this would be helpful because they would have some familiarity with WTCAC. Following are all ideas for inclusion in the report we need to put together: We need to point out why we are unique and that we are the only Tribal organization doing on the ground projects. Show how we have been successful getting WHIP and EQIP funds to Reservations to address conservation needs. Emphasize what we have done with past earmarks, not something new, it is a continuation to continue the work we have been doing all this time. Emphasize continuity. We need to show success stories in annual report. Text and graphics showing the types of projects we have been doing. Renee Anderson (NRCS) can assist to put together Annual report and WTCAC can pay for publishing using our meeting cost funds. She needs high quality pictures and very brief narratives and it is good to have Tribal members in pictures. We could also have a graph showing leveraged funds (Tribal dollars versus EQIP/WHIP). Tangible things such as acres of wild rice planted, miles of streams restored, etc. Reaffirm that cost share rate changed the amount of funds we utilized, was 75%, then 50%, then 90% which we will take great advantage of GIS map of where Tribal projects have occurred within the state. How much money can we allocate even with 10% match? What happened prior to WTCAC in EQIP and WHIP and what happened afterward. The end result is to try to end up in President's budget.

We need to send pictures and summaries from all Tribes send to Jerry!

11. AIANEA Conference Update

Jerry asked if any Tribes have a dance troupe that can be hired for the conference for the night of the banquet (social dancers). Oneida and LDF indicated they knew of groups that could do this and will be providing the contact info to Jerry.

They would like a tour that Wednesday and wondering if Oneida could give a tour of conservation practices. It was discussed that 2 separate tours may be given, one to Menominee and Stockbridge/Munsee and one the Oneida Reservation.

They are very interested in WTCAC and want to pick our brains while they are here. We can sponsor some of this and get our name on brochures etc and use as a workshop for us. We could also sponsor students to come to conference with earmark money.

WTCAC is slotted for 10am – 11am on the first day, July 13 – 17, 2009.

Jim Thannum brought up the idea of holding a WTCAC meeting during this conference so that other people could come and see how it is done.

MOTION: Motion to adjourn. Motion by Stockbridge/Munsee, seconded by Oneida.
All ayes, zero opposed motion carried. Meeting adjourned at 5:01pm.

WTCAC Wildlife Rep. Notes

State Technical Advisory Board
Wildlife sub-committee meeting
10/9/2008

- State Technical Advisory Board is made up of Federal, State entities and special interest groups (FSA, NRCS, USDA, WDNR, Cattlemen Assoc., etc)
- WHIP 2009
 - o For 2009 we can expect funding in the amount of \$400k - \$2 million. Usually funding (\$350K – \$500K); 2008 – (\$2 million)
 - o **WHIP will only be available to tribes, private non-industrial forest owners, and farmers.**
 - o NRCS hopes to receive the final 2009 rules and manual (late October – early November)
 - Expect a narrow signup window (Nov 1 – January 31)
 - o Eligible practices are already set for 2009, no opportunity to add additional practices, *However*
 - We will be able to use EQUIP practices for WHIP as long as we can justify a wildlife benefit.
 - There is also the option to pull practices from the National EQUIP list, (paperwork becomes very cumbersome).

- 2010-2013 FARM BILL
 - o New practices can be added for 2010, new recommended practices need to be submitted by early May-June for consideration.
 - Ephemeral ponds
 - Upland invasives
 - Aquatic invasives
 - o Practices should target species listed on WI Species of Greatest Conservation Need list. (*we may submit a Tribal List for consideration*)

***** WTCAC Task*** (Nov. 3-4)**

- Identify Tribal “species of concern”
- Identify resource needs of the tribes in relation to specific habitat types (i.e. Northern Hardwood Forest).
- Identify needed practices

Next meeting scheduled tentatively for 9:00, Nov. 19th in Madison

WI State Technical Committee Wildlife Subcommittee Meeting 10/9/2008

Agenda Items for Discussion

- SAFE – Status and opportunity/need to assist in delivery (handout)
WHIP – Prioritization of practices and resources (see notes)
WRP – GARC, landowner interest (Tabled - waiting for 2009 rules & manual)
CSP – New rules, species prioritization, practices (see Pollinators folder)
Open Fields – New Program (Similar to PLOTS program - \$50 million for hunting and fishing access)
Bio Fuels – New Program (Tabled - waiting to see which agency will oversee this)
CRP – Wetland Initiatives CP23, CP23A, CP37
Watershed Enhancement Program (old initiative that hasn't been funded in WI for some time)
Cooperative Conservation Partnership Program (Tabled)
Forestry Programs (Discussed Forestry Subcommittee and their direction)

SAFE – State Acres for Wildlife Enhancement
WHIP – Wildlife Habitat Incentives Program
WRP – Wetland Reserve Program
CSP – Pollinator Conservation
CRP – Conservation Reserve Program