

**Wisconsin Tribal Conservation Advisory Council Meeting Minutes**  
**Thursday, December 2, 2010**  
**Menominee**

Meeting called to order at 9:10 am by Jonathan Pyatskowitz.

**1. Roll Call**

Present: FCPC (Nate Guldán), Ho-Chunk (Sara Schmidt), LCO (Brett McConnell), Menominee (Jonathan Pyatskowitz), Oneida (Pat Pelky), St. Croix (Tony Havranek), Stockbridge- Munsee (Luke Hennigan), Lac du Flambeau (Scott McDougall). A quorum is present.

Others present: Jerry Thompson (WTCAC Program Manager), Tony Bush (NRCS), Sherrie Zenk-Reed (NRCS), Greg Yakle (NRCS), Kathy Mayo (USEPA), Susan Hunter (FSA), Pat Leavenworth (NRCS), Tom Fredrickson (NRCS), Keith Sengbusch (NRCS), Tom Melnarik (NRCS), Michael Stinebrink (NRCS), Jason Ritter (Bad River)

**2. Approval of Agenda**

**MOTION:** Motion to approve agenda. Motion by Stockbridge-Munsee, seconded by Oneida. All ayes, zero opposed, motion carried.

**3. Approval of Minutes**

Need to add Oneida and Spooner to potential locations of interns.

**MOTION:** Motion to approve the October 6 and 7, 2010 minutes with modification. Motion by St. Croix, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

**4. NRCS Update**

Pat Leavenworth thanked Jonathan for coming down and speaking at their staff meeting. She indicated that this will be Keith Sengbusch's last meeting. Pat attended the Florida meeting and Jerry was there and spoke about the history of tribal consultation in Wisconsin and how it led to WTCAC. She took them some wild rice and gave it to the chair. She also attended the USDA consultation session in Minneapolis on November 8 and 9. National partnership meeting is coming up on December 14 and 15. She was asked to be on a panel there to talk about outreach to underserved, socially disadvantaged, and tribes. It is the 75<sup>th</sup> anniversary of NRCS and they put together a sheet on the history of NRCS in Wisconsin.

Under EQIP they are starting landscape scale initiatives. They have to submit one initiative annually. First one in discussion is an initiative with Northern Tier Tribal lands to look at fish hatcheries. There would be special funding for this.

We had midterm elections and there are a lot of new faces so there is work ahead in getting to know them and their staff. Sean Duffy in District 7, in District 8 Reid Ribble beat Steve Kagen,

and we have a new senator Ron Johnson. They will be meeting with them in January/February. Because of change in house leadership there is a new lead of the House Ag Committee. A change in chair of Senate Ag Committee, Blanch Lincoln was former chair, now it is Debbie Stabenow from Michigan. She is very supportive of conservation and knows our resource issues and concerns. They are important in terms of next farm bill. They are on a continuing resolution and they just extended it 2 weeks. She has some posters that we can pick up, the latest Native American Heritage Month poster. She also handed out medallions which were part of the USDA Honor Award WTCAC received in August.

### **5. FSA Update**

Susan Hunter handed out a couple of items she is going to review quickly this morning (attached). She indicated that there has been interest in how wild rice losses will be covered. She has been working with the Minnesota State Office and apparently if you can prove management of the wild rice, seeding, etc, they can get it included in their payments. There needs to be a clear management plan. The benefits would be reduced because the crops were not insured. Insurance only costs \$250 a year if Tribes want coverage on their rice. If anyone has losses in 2010 start putting together what is done in relation to active management of rice beds and they can then be eligible. The 2010 signup will not be until late next year so there is time. If you had losses in 2009 you need to work on this soon. Please work with her not your county offices to pull this together. The Tribe would apply not individual ricers. They would need exact acreages. If the tribes can come up with past yield data, that would be nice. Wisconsin is going to do the same as Minnesota. Because Tribes are considered minorities, tribes are eligible without insurance however the benefits will be reduced.

Handout on emergency forest restoration program and the Biomass Crop Assistance Program (attached).

### **6. USDA 1994 Tribal Scholarship Program**

If a USDA agency finds a good student that could be a good employee, USDA will actually pay the student's tuition and costs to get the degree. The program is under the Office of Advocacy and Outreach (OAO). OAO is trying to increase the number of summer internships with USDA agencies and they want to include more students from Tribal colleges. When she was visiting Menominee College in fall she met with 5 or 6 really excellent students that were science orientated. They are trying to get students interested in coming into their work force. USDA Tribal scholars program is open to any student that is enrolled in a 1994 land grant tribal college and has an interest in majoring in food, agriculture, or natural resources career. Part of the application process is for the student to discuss what areas they are interested in. They try and match them up with a USDA agency that may sponsor them with a full scholarship. They enter a student career employment agreement which would be the internship. The student works with the sponsoring agencies office and if there is transportation or housing costs that could also be worked out. The agency pays for full tuition, books, and a lap top. They are paid a salary and have health benefits. The scholarship pays for between 1 and 4 years of college. The student

then has a 1 year payback requirement for every year of scholarship support. When the 1 year is paid back, the sponsoring agency offers them a full time position. If they start at a Tribal college they can then be paid for attending another land grant college (Madison is the only one in the UW system). The application date is 2/1/11, it would be better to get the applications in earlier because they put them before the USDA agencies so they can see if it is a match for their future work force needs. If we identify a strong candidate in our internship program we would work with them to get into this program.

Jerry asked if the local agency has to come with the funds or if it would come from OAO. They indicated that they do not have any funds.

Jerry pointed out that we do have one student that we sponsored and he finished at LCO and now he is at UWSP. They indicated they cannot pay for tuition at any UW school other than Madison; they are pushing to get this changed. It will take 9 months or so to make a change to allow for them to pay for other schools such as UWSP, UWRF, etc.

Jerry indicated that we have 5 positions (possibly 6) set up. Our students will get some USDA experience as well as tribal experience. Leon Fowler at Menominee is very interested in an internship.

OAO asked for 5 more liaison positions starting in 2012.

## **7. WTCAC Interns**

Jerry has 5 position descriptions in hand right now. He named them all Natural Resources Aide to be consistent. We have 6 locations but only enough to pay for 5 positions so we will be conducting interviews to make sure we have good students.

Students should be eligible to be Earth Team Volunteers so they can drive USDA vehicles. They will need to have background checks. They will need to get paperwork going as soon as possible to use government computers and vehicles.

They will be paid every 2 weeks, they will be paid holidays but if they need sick leave or vacation it will be unpaid and then they can extend their internship to make up the days. Jerry will look into liability insurance and will check with Wisconsin Land and Water Conservation Association (WLWCA) to see what they do.

Jerry will make the end of the application period the end of February. At the March meeting we will go over applications.

## **8. EPA Update**

Kathy Mayo – USDA and EPA are struggling with same issues of recruiting Tribal members. They want to increase their internship program. They would like to look at the Tribal college aspect. The 2<sup>nd</sup> Tribal Nation's Summit is on December 16 in Washington DC. They have some consultation activities occurring that they want to finish before this summit. They would like to

have the National Consultation Policy published before this summit. They have a regional consultation work group to implement national policy; their 3<sup>rd</sup> meeting is December 9. There are 4 Tribal reps, Eric Chapman and Tehassi Hill are on it from Wisconsin. Region 5 IEO director is open until Dec 14. They held the RTOC meeting on November 17. Wisconsin Tribes were well represented. All of the issues that were developed at the last WTCAC meeting were dealt with at the meeting. Climate change was one of the main topics from the Wisconsin tribes. GLRI in 2011 will be focused on restoration. Jerry asked if Kathy could forward information to him as it becomes available.

### **9. USDA Consultation in Minneapolis**

Jerry and Jonathan attended the meeting. There were only 2 tribal elected leaders present (Menominee and White Earth). There were many USDA folks there, maybe a total of 8 tribal folks and 30 or 40 USDA staff. They are looking into NRCS holding easements for farm and ranchland program because right now an outside entity needs to hold it. How about BIA holding the easements being they already hold the trust documents? There is potential to do contracts instead but easements would get higher rankings than contracts. Tribes may be interested in the Healthy Forests Reserve Program. This one specifically outlines that Trust Lands are not eligible. In a lot of the language it just mentions state technical committees so now that we have a Tribal Technical Committee they need to get it added into the language. There could be a joint agency package for aquaculture facilities. Susan will send something out on the Indian Tribal Land Acquisition Program. The Fond du Lac Tribe has a Conservation Stewardship Program (CSP). They would like to come to one of our meetings as Minnesota is trying to form a TCAC. We really need the State CSP Manager to come talk to us so we understand exactly what we can and can't do with CSP and what limitations there are.

### **10. Florida Trip**

Jerry went to Florida and made a presentation on how we do business here in Wisconsin. After listening to the 1<sup>st</sup> day's presentation he refocused the talk to the business aspect of us. He discussed technical recommendations and how we work as a technical committee. He also informed them about how agencies come to us instead of us chasing them down. The group he spoke to basically comprises the Tribes of the southeast region. It is the only still functioning NRCS Native American Work Group. There are only 8 federally recognized tribes in those states but 20-something state recognized Tribes. They wanted to know how we work with USDA in particular NRCS. The talk went over pretty good and they are interested in sending some of their representatives up to the TCAC training. It went really well and they were very interested.

### **11. NRCS State Meeting**

Jonathan gave a presentation on conservation activities tribes are involved in at the NRCS state meeting. We are reaching some outreach goals by going to these things.

## **12. IAC-INCA Conference**

The week of December 6, Jerry, Luke and Bob are heading to the IAC-INCA conference in Las Vegas. They will be part of a session to show the partnership effort between IAC, INCA and WTCAC.

## **13. VHS Monitoring**

Jerry received notice from APHIS for the new VHS monitoring program for this coming year. Is anyone interested? St. Croix would likely be interested. Maybe do CWD together next year?

## **14. Tribal EQIP and WHIP Proposals**

WTCAC will likely be allocated \$440,000 in EQIP and \$55,000 in WHIP again this year. The preliminary requests from all the Tribes for EQIP are \$422,233.96 and for WHIP are \$22,806.00.

Brett will get a hold of Matt Otto on the issue with the payment rate for wild rice. It appears to have been cut by 1/3.

Get applications in to NRCS by January 14, 2011. Please bring all the final numbers to the next meeting and WTCAC will approve them at that time.

## **15. WTCAC Bank Account**

Brett and Jerry went to the bank in Colby. The bank needs a motion to remove Rae Ann Maday's signatory authority on the account and a motion to give Jerry Thompson signatory authority so he can call and get financial information for tracking the 2501 grant.

**MOTION:** Motion to remove Rae Ann Maday's signatory authority from the WTCAC bank account. Motion by Stockbridge-Munsee, seconded by Lac du Flambeau. All ayes, zero opposed, motion carried.

**MOTION:** Motion to give Jerry Thompson signatory authority on the WTCAC bank account. Motion by FCPC, seconded by Stockbridge-Munsee. All ayes, zero opposed, motion carried.

The checks still had the Black River Falls address on them and Brett did not noticed this until he ordered new checks so he ordered stickers to put on the checks. The bank said this was ok.

## **16. 2501 Grant Update**

We are going to use 2501 funds to update the WTCAC brochure so please get information to Jerry.

Jerry had forgotten that he had been requested to put together a Statement of Work for the 2501 Grant (attached). In the statement he indicated that the funds will be used to assist Tribes with RESOURCE ASSESSMENTS for CONSERVATION PLANNING. This is very important as it allows us to do many things with the 2501 grant funds. Jerry will pull together a request for small project proposals and send to everyone.

### **17. Donations**

Being WTCAC is now a non-profit organization; we can accept tax deductible donations.

### **18. Technical Recommendations**

WTCAC now needs to present technical recommendations to the State Conservationist in winter instead of summer. Therefore we need to get technical recommendations together for the next meeting and have a March meeting in Madison to present the technical recommendations.

### **19. Follow up and Past Actions List**

Nate indicated that he thought it would be a good idea to develop a follow up and past actions list. WTCAC often commits to doing things or Tribal representatives volunteer for a certain task; however we rarely keep track of these commitments or tasks to see if they get accomplished. It would be a good idea to track these things.

### **19. Logo**

Everyone agreed that Jonathan should just go ahead and pick the final logo design.

### **20. Travel Forms**

Jerry is tracking all costs associated with the new 2501 grant so all travel forms should now be submitted to Jerry instead of Brett.

### **21. Next Meeting**

The next meeting is scheduled for January 26 at Stockbridge-Munsee.

**MOTION:** Motion to adjourn. Motion by FCPC, seconded by Menominee. All ayes, zero opposed motion carried. Meeting adjourned at 4:23 pm.

Award #: 59-2501-10-045

Project Title: Wisconsin Tribal Conservation Advisory Council Agricultural Outreach Program

Organization Name: Wisconsin Tribal Conservation Advisory Council (WTCAC)

### STATEMENT OF WORK

Task #1. Conduct up to eight (8) joint USDA/WTCAC meetings to address USDA program priorities, and WTCAC's technical assistance to deliver those programs to tribal members. USDA agencies currently participating are NRCS, APHIS & FS. USDA agencies to be invited to participate are the Farm Service Agency (FSA) and Rural Development (RD). This task promotes all of the programs of the above USDA agencies.

Task #2. Conduct up to six (6) WTCAC Sub-committee meetings with the NRCS State Resource Conservationist to develop new Tribal Technical Standards for Invasive Species and Tribal Conservation Practices currently not available through the USDA NRCS programs. This task promotes primarily the NRCS WHIP and EQIP programs.

Task #3. Assist member Tribes with implementing pilot conservation demonstration projects to document technical methods, cost estimates, implementation options and practice success, so as to develop new Tribal Technical Standards for inclusion into USDA Conservation Programs. Assist member Tribes with Resource Assessments for Conservation Planning. This task promotes primarily the NRCS WHIP, EQIP and CTA programs.

Task #4. Establish a Tribal Student Internship Program (up to 5 students) to train with NRCS staff and other USDA agencies, to develop internal Tribal technical expertise and USDA program awareness. Students will attend the AIANEA Conference for training purposes. This task promotes the programs of all the agencies.

Task #5. Increase WTCAC networking opportunities by attending the annual INCA/IAC Conference, and the American Indian Alaskan Native Employee Association (AIANEA) conference, and provide information and education presentations about establishing Tribal Conservation Advisory Councils. Two WTCAC Directors and the WTCAC Program Manager will participate in these conferences. This task has the potential to promote all of the programs of the USDA agencies.

Task #6. Build upon INCA/IAC's Tribal Conservation District training by providing Tribal Conservation Advisory Council training to other Federally recognized Tribes. Currently Michigan, Arizona, Washington and Florida Tribes have inquired about WTCAC's assistance. Tribes will be invited to Wisconsin for training. This task has the potential to promote all of the programs of the USDA agencies.

Task #7. Establish a WTCAC Website and develop informational media about WTCAC pilot conservation projects, WTCAC organizational structure, and WTCAC Technical Standards Development Initiative for dissemination to other Tribes and WI Tribal members. This task has the potential to promote all of the programs of the USDA agencies.



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## FSA REPORT TO WTCAC – DECEMBER 2010

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

**NEW - 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.

To be eligible for EFRP, land must have existing tree cover (or had tree cover immediately before the natural disaster and is suitable for growing tree); and be owned by a nonindustrial private individual, group, association, corporation, or other private legal entity that has definitive decision making authority over the land. In addition, the natural disaster must create damage that, if untreated, would impair or endanger the natural resources on the land; and materially affect future use of the land. (See fact sheet attached)

**Biomass Crop Assistance Program (BCAP) – FINAL RULE:** The final rule was published on October 27. Project areas will have to be established for a distinct geographic region in which participants can enroll land into BCAP contracts and produce eligible crops. Project areas are proposed by Biomass Conversion Facilities (BCF's) or a group of producers and more details are to come on how to submit project area proposals. A few details below:

- 75% cost share rate to establish eligible perennial crops (not for annual crops)
- Annual payments up to 5 years for annual and non-woody perennial renewable biomass crops
- Annual payments up to 15 years for wood perennial renewal biomass crops
- Rental rates based on CRP soil and county average rental rates for cropland
- Matching payments to Eligible Material Owners (EMO's) for certain eligible material sold to qualified Biomass Conversion Facilities (BCF) for conversion to heat, power, Biobased products or advanced Biofuels. \$1 for each \$1 per dry ton paid by BCF and limited to 2 years.

**Female or Minority Advisor Search:** Local FSA offices that don't have a woman or minority producer on their local County Committee must appoint a female or minority advisor to serve a one year appointment as an advisor to the County Committee to ensure that the voice of the minority and/or female farming population are heard and considered. The deadline for candidates to submit their willingness to serve as an advisor is January 2011. Tribal members involved in any type of agricultural venture – cropping, vegetables, wild rice, aquaculture, livestock, forestry, etc are encouraged to apply at the local FSA office.

**Farm Ownership and Operating Loans Available:** FSA has annual and term operating loans along with farm ownership loans available for those who want to start farming, expand their current operation or pay for annual operating expenses. The interest rates for loans approved in December are 1.75% for operating loans and 4.125% for farm ownership and conservation loans. Youth loans up to \$5,000 are also available at the operating loan rate of 1.75% for youth ages 10-20 to start or continue a money-making agricultural business or project.

**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)



# FACT SHEET

UNITED STATES DEPARTMENT OF AGRICULTURE  
FARM SERVICE AGENCY

November 2010

## Emergency Forest Restoration Program

### Overview

USDA Farm Service Agency's (FSA) Emergency Forest Restoration Program (EFRP) provides payments to eligible owners of nonindustrial private forest (NIPF) land in order to carry out emergency measures to restore land damaged by a natural disaster. Funding for EFRP is appropriated by Congress.

### Program Administration

EFRP is administered by FSA's state and county committees and offices. Subject to availability of funds, locally-elected county committees are authorized to implement EFRP for all disasters except drought and insect infestations, which are authorized at the FSA national office.

### Land Eligibility

County FSA committees determine land eligibility using on-site damage inspections that assess the type and extent of damage. To be eligible for EFRP, NIPF land must:

- Have existing tree cover (or had tree cover immediately before the natural disaster occurred and is suitable for growing trees); and,
- Be owned by any nonindustrial private individual, group, association, corporation, or other private legal entity, that has definitive decision-making authority over the land.

In addition, the natural disaster must have resulted in damage that if untreated would:

- Impair or endanger the natural resources on the land; and,
- Materially affect future use of the land.

### Payments

EFRP program participants may receive financial assistance of up to 75 percent of the cost to implement approved emergency forest restoration practices as determined by county FSA committees.

Individual or cumulative requests for financial assistance of \$50,000 or less per person or legal entity, per disaster are approved by the county committee. Financial assistance from \$50,001 to \$100,000 is approved by the state committee. Financial assistance over \$100,000 must be approved at the FSA national office. A payment limitation of \$500,000 per person or legal entity applies per disaster.

### Emergency Forest Restoration Practices

To restore NIPF, EFRP program participants may implement emergency forest restoration practices, including emergency measures:

- Necessary to repair damage caused by a natural disaster to natural resources on nonindustrial private forest land; and
- Restore forest health and forest related resources on the land.

Other emergency measures may be authorized by county FSA committees, with approval from state FSA committees and the FSA national office.

### Sign-up Periods

Producers should check with their local county FSA offices regarding EFRP sign-up periods, which are set by county FSA committees.

### For More Information

Additional information on EFRP is available at FSA offices and on FSA's website at: <http://disaster.fsa.usda.gov> and [www.fsa.usda.gov/conservation](http://www.fsa.usda.gov/conservation)

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