

Washington Tribal Conservation Advisory Council
Video Teleconference
May 10, 2011

MINUTES

AGENDA

Minutes of April 18th Meeting – unavailable due to computer problems; forthcoming
Greeting from Roylene Rides at the Door
Bylaws (info sent out)
State resource assessment (info sent out)
EQIP ranking criteria review (info sent out)
Review of policies headed to the federal register?
Aquaculture subcommittee
Agenda Items for next video-teleconference

- Tribal conservation districts
- Standards up for review (info sent out)

Participants

Steve Allison, Natural Resources Director, Hoh Tribe
Matt Berger, Wildlife Program Manager, Kalispel Tribe
Stephanie Martin, Acting Forester, Makah Tribe
Paul McCollum, Natural Resources Director, Port Gamble S'Klallam Tribe
Dave Bingaman, Quinault Tribe
Mike Stamon, Quinault Tribe
Christine Woodward, Natural Resources Director, Samish Tribe
Gary Burns, Natural Resources Director, Shoalwater Bay Tribe
Cindy Spiry, Natural Resources Director, Snoqualmie Tribe
Pat Stevenson, Environmental Program Manger, Stillaguamish Tribe
Shawn Yanity, Chairman, Stillaguamish Tribe
Larry Wasserman, Swinomish Tribe
Terri Parr, ATNI
Roylene Rides at the Door, WA NRCS State Conservationist
Rebecca Toupal, WA NRCS Tribal Liaison, Spokane
Robin Slate, WA NRCS Tribal Liaison, Olympia
Dave Brown, WA NRCS Assistant State Conservationist – Programs
Jerry Rouse, WA NRCS State Range Management Specialist
Gina Kerzman, WA NRCS Area Conservationist, Spokane

Minutes of April 18th Meeting

Unavailable due to computer problems; forthcoming from ATNI

Greeting from Roylene Rides at the Door

Roylene welcomed the participants, apologized that she wouldn't be able to attend the entire meeting. Noted that 30 of NRCS's standards and specifications have an energy focus, and asked the group to think about how they want to address that.

By-laws (info sent out) – Rebecca Toupal, NRCS

Tribal representatives viewed the Wisconsin Tribal Conservation Advisory Council's by-laws as being thorough and a good template for their own. Questions included: How will the functions of the WATCAC be affected? What do the tribes want the WATCAC to do, to be? The group decided to discuss goals first, specific tasks, and possibly a work plan. Action on the development and adoption of by-laws is for the NRCS Tribal Liaisons to pose these questions to the rest of the tribes, and make this an agenda item for the face-to-face WATCAC meeting in September. As an aid to addressing these questions, information about TCAC's from NRCS's General Manual will be sent out. The WTCAC (WI) Annual Report will be included to illustrate the kinds of projects that are possible.

State resource assessment (info sent out) – Roylene Rides at the Door, Rebecca Toupal, NRCS

Unable to present Powerpoint on SRA due to system problem. Will send to participants. Tribal representatives did not feel the State Resource Assessment fits the West Side, and inquired as to opportunities to modify it. Grandfathered tribal water rights, inadequate instream flows, and the focus on ranking farm-related activities were identified as examples of concern to the tribes. The participants also want salmon and other subsistence fish and wildlife recognized as food production.

NRCS has to submit a budget proposal based on the SRA by July 2011. The questions of opportunities and how to address tribal data were forefront. The group asked how the original resource concerns were developed and pared down, and it was explained that this was done at the national level of NRCS. Conservation districts and local work groups reviewed the concerns, and NRCS wanted to do that with the tribes but many people wanted the WATCAC do provide guidance.

NRCS confirmed that the tribes can identify specific issues within broader categories. NRCS will work with the tribes over the next year to get their concerns into the SRA for the next round of funding. NRCS will provide general agency guidelines, and a more detailed presentation at the next WATCAC meeting. The group also asked for a revision of the spreadsheet that shows the data by area so they can focus on their respective resource concerns.

EQIP ranking criteria review (info sent out) – Dave Brown, NRCS

Currently, 12.5% of NRCS WA's EQIP fund is set aside for tribes; this typically amounts to \$1.2 to \$1.5 million. All tribes are scored with the same ranking tool, but they only compete within their respective tribes. Each tribe's highest ranking application is chosen, then each tribe's second highest ranking application, etc. until the funds run out.

Makah Question: Do unfunded applications move up to highest priority for the next round of funding?

NRCS: No, these applications go into the general pool for the next funding cycle.

Kalispel Question: Does a 5-year contract established in 2011 mean the money is guaranteed for 5 years?

NRCS: Yes, but the payment schedule is locked in to the costs estimates of the year the contract is signed.

NRCS Question: Is our ranking strategy for the tribes OK or something the WATCAC wants to review?

Makah: The current strategy works for the West Side, but maybe not for Colville, Spokane, or Yakama.

NRCS: Colville has had internal contract competition. If there are more tribal applications, we'll need to discuss increasing the 12.5% set-aside. The original set-aside was based on an acreage estimate. Some years, not all of the 12.5% was used, and other years, leftover funds from the general pool were used to fund tribal applications that exceeded the set-aside.

NRCS: The concern about inadequate instream flow could be added to the ranking sheet.

Quinault: We were involved in establishing the EQIP ranking. A macro/micro approach was a good strategy to develop what is being used now. Prioritizing funds across the state is better than splitting tribal shares; everyone gets a piece of the action with the current ranking strategy; it also lets smaller tribes who are new to NRCS contracting participate and learn how contracting works.

NRCS Question: How can we look at non-tribal applications to improve conditions on tribal lands?

NRCS: We could add a state level criteria.

Quinault: 87.5% has no tribal input; the WATCAC should be involved in that. We would like to have input that guides/influences the local work groups.

NRCS: In addition to a new state level criteria, tribes can get involved with the local work groups.

Makah Question: Are applications within the same watershed ever considered together?

NRCS: We've prioritized applications addressing different areas in a given 303(d) watershed. The mechanism is there to craft geographically-based questions. We can do it through the state level or the local work group level.

Makah Question: We use letters of support to encourage approval of projects; can we do that with NRCS?

NRCS: Yes, we can write questions to address specific issues.

Snoqualmie: Some of the tribal affiliation questions are too specific.

NRCS: That's something we can address – modify or generalize. Is the group looking at doing something for the upcoming year? Or do we stay with the status quo with the door open to changes?

Makah: Status quo with the door open to changes.

Group: Agree.

Quinault Question: Are the points all or nothing?

NRCS: Some, like Q1, are all or nothing. Others, like Qs 11 & 12, you would answer only one of the two.

Quinault: We want to be careful about changes so we don't upset the balance. Changes in the ranking criteria can cause changes elsewhere that we might not want.

NRCS: Over the next two weeks, look at the ranking questions for missing items and send recommendations to Dave Brown. He'll compile them and send back to the group to make changes in time for FY12.

Will send participants tables of funds spent on tribal lands in FY10 and FY11.

Review of policies headed to the federal register? (no copies or info sent out)

NRCS Question: How does the group want to review draft practices?

Kalispel Question: Unless there's a history of benefit, how should we address these?

NRCS Question: What are your top priority resource concerns, and what practices affect those? Focus on those practices for review.

Quinault: Practices on ceded lands are also important.

Kalispel Question: Is there any monitoring on practices?

NRCS: We're not big on off-site monitoring. We monitor practice installations, that these are done properly, and maintained, but there's no monitoring of resource impacts.

Hoh: Tribes are already involved in watershed planning, and have a list of practices that they support.

NRCS Question: Should the group address practices by tribe on a monthly basis? Or compile comments to submit as the WATCAC?

Quinault: Is the WATCAC formed enough to weigh in as a council? Can you provide us with information on a monthly basis so we can address the practices independently, and forward to the WATCAC monthly? With copies to NRCS.

NRCS: You can also address practices directly with us. We can do some tweaking at the state level. So even if the comment period for Federal Review practice notices is closed, we may still be able to address tribal needs. Tribes can also provide input to the draft that's being written, i.e. consultation and Step 1 of the email provided. (This needs forwarded to the tribes.)

Quinault: Part of Roylene's idea is to get in on the front end of these processes.

ATNI: We would like to see the comments as well.

Quinault: NRCS can provide those. There's no overview or umbrella on the website regarding commenting. Where do we send comments?

NRCS: The Federal Register notice contains that information. We can provide links to the actual notice so you have it.

Aquaculture subcommittee

NRCS: We have an opportunity to help develop the aquaculture program. There are five practices coming up for review that address aquaculture. What do we need an aquaculture producer to do differently? We need your input. Which tribes are concerned with aquaculture? The West Side?

NRCS: It would be helpful to look at what the operation is doing, what the industry is doing, what the associated resource concerns are, what can be done differently, and what programs can be used to help.

ATNI Question: What about restorations, enhancements? (vs. production)

Stillaguamish: Traditional foods need to be recognized as a form of agriculture.

NRCS: EQIP can be used to enhance shellfish production. We need to figure out if it pencils out to fit EQIP income requirements. In Alaska, EQIP is used to thin trees to improve understory for moose, which are equivalent to cows.

Stillaguamish: We may not need to address all of a property. Problems are increasing between agriculture and fisheries. We have limited estuary areas and can't move like farmers who can work other land. We also don't want to create policies that create uncomfortable restrictions.

ATNI: Kalispel is interested in participating in the Aquaculture Subcommittee. The Plateau tribes have aquaculture but it's not production like elsewhere.

NRCS: We need to look at the programs that would assist aquaculture, identify the tribes who are interested in it, and who would be on the subcommittee. John Kendig is the lead on aquaculture for the state and should be involved in the subcommittee. Robin (NRCS Tribal Liaison, Olympia) will contact.

Stillaguamish: We can use the three fish commissions for outreach. They have tribal representatives who should be included.

NRCS: We're already working on that.

Agenda Items for next teleconference

- WATCAC goals, plan
- Detailed State Resource Assessment presentation by NRCS
- More program information; NRCS proposes to detail one program per meeting and provide contact information for other programs not being discussed.
- Tribal conservation districts
- Standards up for review