

**Wisconsin Tribal Conservation Advisory Council Meeting Minutes
Wednesday, August 8 and Thursday, August 9, 2012
Red Cliff**

Wednesday, August 8

Meeting called to order at 1:07 pm by Pat Pelky.

1. Roll Call

Present: Bad River (Lacey Hill), FCPC (Nate Guldán), Ho-Chunk (Sara Hatleli), Menominee (Jeremy Pyatskowitz), Mole Lake (Tina Van Zile, Roman Ferdinand), Oneida (Pat Pelky, Jeff Mears), Red Cliff (Melonee Montano), St. Croix (Katie Stariha)

Others Present: Nicholas DePlonty (WTAC Intern), Thomas Kenote (WTCAC Intern), Allissa LaGrew (WTCAC Intern), Dylan Jennings (WTCAC Intern), Bryan Bainbridge (Red Cliff), Tashena Van Zile (WTCAC Intern), Derek Taylor (WTCAC Intern), Jacob Trepanier (WTCAC Intern), Michael Arse (WTCAC Intern), Eric Chapman Sr (Lac du Flambeau, RTOC Co-Chair), Austin Mika (WTCAC Intern), Dan Cornelius (IAC), Keith Sengbusch (WTCAC), Barb Tormoehlen (USFS), Jim Ruppel (EPA), Darrel Harmon (EPA), Tony Corbine (Red Cliff), Gary Haughn (NRCS)

2. Approval of Agenda

MOTION: Motion to approve agenda. Motion by Mole Lake, seconded by Menominee. All ayes, zero opposed, motion carried.

3. Approval of Minutes

MOTION: Motion to table the June 20, 2012 WTCAC meeting minutes until tomorrow. Motion by Menominee, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

4. EPA Update

Jim Ruppel – Clean and Healthy Tribal Casino Workshop on September 18 and 19 hosted at Grand Portage. The Tribal Lands Forum is being held from August 20 – 23 in Oregon. The NTEC Conference is being held in Michigan from August 26 - 29. Jim introduced Darrel Harmon, the new Region 5 IEO Director. He just wanted to stay and see what we do and meet us. He plans to stay in this position until he retires. He wanted to learn what we do. Pat welcomed him and explained to him what we do.

5. WTCAC Pre-Discussions on Technical Standards

Pat Pelky sent the letter to Pat Leavenworth that he was directed to do, she responded the next week (letters attached). Randy and Keith have been meeting with Technical Staff. Randy is working on non-engineering practices (wild rice, invasive species, etc.). Keith has been working with the engineering staff and has talked about the process for us to get our practices in the system. It is quite an extensive process, each practice broken into components. They have to go through each component to make sure they line up with what we would like to see in the Tribal docket. These components need to be on a national list. NRCS yesterday agreed to submit all of our stream crossing and fish

passage scenarios. The state engineering staff has agreed to submit all scenarios requests through a website at the national office, they will have no idea who the request came from and they will respond back whether they accept, reject, or need more information. They are receiving thousands of requests every day, Wisconsin will submit and then will find out if they are accepted. The cost estimates are also submitted. They are waiting for Matt Otto to get back from leave on August 13. They are working with an engineer out of Michigan on aquaculture practices. Most components will be separate contract items. Chris Borden will have more to add tomorrow. We can likely still create our own WTCAC docket by pulling things out of the 3 state docket. NRCS eliminated their deadlines as they could not meet them; it is now open ended at this point. Come 2013 there has to be a docket. Access roads are another issue. Michigan tribes do not know about this yet. Randy and Keith had a conference call a couple of weeks ago with the NRCS tribal liaison in Minnesota and they convinced her to have the Tribes accept our docket to start with and expand it from there as they were going to have a meeting to talk about developing a TCAC. August 28 and 29th meeting will be the first Regional TCAC meeting in Oneida. Pat Pelky is a representative, 8 Tribal members from throughout the Midwest. Pat Pelky is the only one from a Tribal organization and 3 state conservationists (Pat Leavenworth is one). How will our cookbook retain our unique resource needs?

6. IAC Update

Dan Cornelius – Next week is the first meeting of the Council on Native American Farming and Ranching in DC, it came out of the Keepseagle lawsuit. The Council is comprised of USDA and Tribal representatives from across the country. They are an advisory committee that reports directly to Secretary Vilsack. Dan has some funding to hold a three state regional meeting at the end of September. It would be a normal WTCAC meeting and Minnesota and Michigan folks could have their own meetings and then come together to talk about new payment and docket system and other issues tribes are facing throughout the region. Potential dates are September 25 – 27 at Lac du Flambeau. Talk about Tribal dockets and APHIS PPQ would like to talk about things as well, some time to invite other USDA agencies to give an update. Talk about a Tri-state organization? Katie will help Dan and Jerry with this, Eric Chapman agreed to be the Lac du Flambeau contact if they are hosting it there. Jerry should get a hold of them.

There is a USDA programs workshop in Bay Mills on Tuesday, August 28. The community college has just started a farm and has used a variety of USDA programs to do it. It is an innovative, good operation. They are going to start off in classroom describing USDA programs and then going in the field looking at the operation, what they are doing, and how they have gotten there. He passed out information sheets on the workshop.

Farm Bill brain storming session – Our commodities program doesn't do us any favor by having pork, beef etc. in there and not traditional foods, Tribes have not been served by the Farm Bill for years and should have been, Tribes are behind. We need to find a way for the Tribes to have a process to have more influences on the creation of the Farm Bill; we need to find a way to be invited to the table early on when they begin drafting it. We

haven't been able to make an impact by first commenting on it after it has been written. Community food assessment, are Tribes interested, talk to Dan.

7. Strategic Plan

We need to uppercase Federal in all cases, add approval date on footer, and change date to August 2012.

MOTION: Motion to approve the revised WTCAC Strategic Plan. Motion by Menominee, seconded by Mole Lake. All ayes, zero opposed, motion carried.

Below is a list of updates on the task list. Nate will incorporate them into the actual task list document.

- 1.1 – Task 1 – Randy was working it
- 1.2 – Task 1 – Pat will have it done by October 31, 2012
- 1.2 – Task 2 – Pat would be the lead and start on August 28, 2012 move to 2.2
- 1.2 – Task 3 – Develop tracking system of technical recommendations, Randy and Keith start tomorrow and end by September 30.
- 1.3 – Task 1 – Tina will be drafting a letter of how we function and then we were going to comment on it, ending date of September 30.
- 1.3 – Task 2 – Completed
- 2.1 – Task 1 – Done – Pat Pelky was selected
- 2.1 – Task 2 – Change wording to say “Develop an SOP for how we communicate with the RTCAC
- 2.2 – Task 1 – Add Pat
- 2.3 – Task 1 – change person to Pat
- 2.3 – Task 2 – Pat was appointed
- 2.3 – Task 3 – Jerry yearly
- 2.3 – Task 4 – Get a list of other TCACs with contact name and phone number and check in with them on a regular basis, maybe send them minutes, verify if they are officially recognized – Jerry
- 2.4 – Task 1 – Should be Jerry
- 2.4 – Task 2 – Same
- 2.4 – Task 3 – Should be Jerry
- 2.4 – Task 4 – Same
- 2.4 – Task 5 – Pat will follow up with Randy and have him contact Dan Cornelius
- 2.5 – Task 1 – Same – change IAC to national Tribal organizations
- 2.5 – Task 2 – Should be Jerry
- 3.1 – Task 1 – Ending at 9/30/12 at this point
- 3.1 – Task 2 – Change to “Resource Concern, Technical, and Program Training”
- 3.1 – Task 3 – Change to “Train officers on WTCAC SOP for continuance of WTCAC in absence of WTCAC Program Manager”
- 3.2 – Task 1 – Jerry – no changes
- 3.2 – Task 2 – no change
- 3.3 – Task 1 – done
- 3.3 – Task 2 – done
- 3.3 – Task 3 – ongoing

- 3.3 – Task 4 – Write another grant for more interns – Jerry
- 3.4 – Task 1 – Ongoing
- 3.4 – Task 2 – Ask Jerry if he contacted them
- 3.4 – Task 3 – Done
- 3.4 – Task 4 – Dan said they have a new tribal liaison that would like to come to WTCAC
- 3.4 – Task 5 – Pat is trying to find the liaison and she if they have a new liaison and Jonathan will likely always attend – Pat will also try to get Cathy Stepp at a meeting
- 3.4 – Task 6 – Sarah will check with Randy to see where it is at
- 3.4 – Task 7 – Develop an agency update form – Sarah and Jeremy will do it by next WTCAC meeting

8. Announcements

Lead Training Conference hosted by Oneida – handed out an information/registration sheet. This would be for Tribal vendors also. They need this training and can get it here free.

Thursday, August 9

1. Roll Call

Present: Mole Lake (Tina Van Zile), Oneida (Pat Pelky), Red Cliff (Melonee Montano), St. Croix (Katie Stariha), FCPC (Nate Guldan), Bad River (Lacey Hill), Ho-Chunk (Sara Hatleli), Menominee (Jeremy Pyatskowit), LCO (Brett McConnell)

Others Present: Tony Bush (NRCS), Gary Haughn (NRCS), Carl Beckman (FSA), Susan Hunter (FSA), Janice Kelley (NRCS), Tom Fredrickson (NRCS), Pat Leavenworth (NRCS), Robert Battaglia (NASS), Michael Arce (WTCAC Intern), Tracey Hames (Wisconsin Wetland Association), Olie Basina Sr (Red Cliff), Bob Willging (APHIS), Pam Engstrom (APHIS), Jason Suckow (APHIS), Austin Mika (WTCAC Intern), Jonathan Pyatskowit (INCA/DNR), Dylan Jennings (WTCAC Intern), Allissa LaGrew (WTCAC Intern), Derek Taylor (WTCAC Intern), Jacob Trepanier (WTCAC Intern), Tashena Van Zile (WTCAC Intern), Chad Abel (Red Cliff), Paul Strong (USFS), Tom Kenote (WTCAC Intern), Tom Melnarik (NRCS), Keith Sengbusch (WTCAC), Nicholas DePlonty (WTCAC Intern), Carl Butterfield (Red Cliff Farm Project), Susan Moore (Red Cliff Farm Project), Chris Borden (NRCS), JoAnn Cruse (APHIS), Donna Huebner (RD), Barb Tormoehlen (USFS)

2. Intern Presentations

Nicholas DePlonty – JW Toumey Nursery – Study on comparing greenhouse to bare root growth of jack pine

Jacob Trepanier – LCO

Thomas Kenote – Wildlife Service in Rhinelander – He worked with Menominee on a Purple loosestrife survey.

Derek Taylor – LCO – He worked for NRCS Spooner.

Austin Mika – Main project was woody debris installation on Iron River worked with NRCS in Ashland

Northern Great Lake Visitor Center (2 interns) – Indigenous Peoples Tour and Northwoods Ed-venture series. I-Tree – they surveyed the GLVC land, took up most of their time.

Michael Arce – Oneida – Little Bear Development Center – Houses NRCS, Environmental Health and Safety Division and Planning Department, worked on aquaponics project as well as other things.

Tashena Van Zile – NRCS in Rhinelander – Her special project was the Harmony Training – helped collect birch bark for one of the projects

3. Approval of Minutes

Change communists to communities in the Wisconsin Wetland Association section.

MOTION: Motion to approve the June 20, 2012 minutes with modification. Motion by Menominee, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

4. FSA Update

Susan Hunter – Update Attached – Tribes can report crop losses to FSA office – local FSA director out of Ashland is here as well

Brad Pfaff – Southern Wisconsin has had an abnormally dry summer – 23 counties are considered extreme drought and a number of counties in severe drought. They have been meeting with groups to discuss the impacts on family farmers and rural communities. In Congress, the current Farm Bill expires at the end of September 2012. Currently they are on August recess; the full Senate passed the reauthorization of the 5 year Farm Bill however it is not scheduled in House for floor vote.

5. APHIS Update

APHIS – JoAnn Cruse – Not a lot to update, they anticipate there will be a continuing resolution for at least the first 6 months. They are still going through modernization and reorganization we shouldn't see any changes. EAB was found in Janesville and several locations in Walworth County. Rock and Walworth County were added to the federal quarantine. She will send out an update to EAB surveys with the Tribes. Starting August 20th the traps can probably come down. Nationally they have quarantined the whole state of Virginia for EAB and it was also found in Connecticut and Kansas City. Each week they get 2 -3 updates throughout the US where they are adding counties. Gypsy moth – they are around 99,000 moths caught in the western half of the state, a lot in Bayfield and Ashland Area. ICS Exercise – September 10, probably be sending out more information next week.

Jason Suckow – He thanked the interns and WTCAC for hosting the interns. He heard Tom Kenote did a great job. Wildlife Services continues to work with all the Tribes in Wisconsin. They are working with Bad River on wild rice and trout and Red Cliff to protect sensitive habitat by removing deer on an island. They have donated 150 deer to Red Cliff. With Lac du Flambeau they are developing an MOU as it relates to wildlife damage management and beaver and bear issues. They also did an MOU with FCP. With Menominee they are assisting with Canada goose issues and with St Croix they have a longstanding agreement dealing with bear issues. They are assisting Ho-Chunk wolf management and LCO with wolf management and bear issues. All Tribes received letters this year as they are in the process of updating their NEPAs. They are updating the beaver EA because of the wolf harvest season and need to do a wolf supplement. Their EAs are better when they can get the Tribal perspective. He will be contacting a couple of Tribes who have submitted a request for a sandhill crane season (Mole Lake, Fond du Lac, Red Cliff and Bad River were toying around with it as well). They work

closely with the International Crane Foundation. They continue to work closely with GLIFWC as well.

6. Rural Development

Donna Huebner (report attached) - WTCAC can help as Tribes only applied for 1 grant so we need to help get the word out there. Know your farmer, know your foods – Hoop houses would be able to help*** Playground equipment, fire protection and fire safety. CF = Community Facilities. WW= Water and Waste – no Tribes applied this year – there is a tribal set aside for Water and Waste. VAPG = Value added producer grant – 2012 funding not released yet – still trying to change it so Tribes can apply. Food and Ag Council Meetings – Brad, Stan G, and Pat L work with other state directors. Next meeting is September 11 in Stevens Point. Pass this on to Tribal Chairs. WTCAC needs to help spread the word on conservation programs. If programs are too hard or don't work, let her know so she will see what she can do.

7. USEFS

Barb Tormoehlen – Set up meeting with her to see what we can do**** Yearend activities are wrapping up – 80% of their funds go out in grants to state forestry agencies, universities, NGOs, etc. and Tribes. They just released their RFP for FY 2013. 15% of funds are competed in support of state forest action plans but they share this competition with other partners and Tribes. The pre-proposal process for Wisconsin is being developed right now, as soon as Barb gets it she will make sure Pat Pelky gets a copy, the deadline is October 15 but Wisconsin will likely request a week in advance. In addition, the national office has just released to DOI a request for forest health suppression projects. The BIA has until October 10th to get all projects into a database for 2013 funding. They are looking for GLRI projects that address conservation items in Areas of Concern – Duluth /Superior, Ashland, and Green Bay. Emergency Forest Restoration Program – they administer through FSA – for any natural disaster that occurs on Tribal Forest Lands. The state forester has to identify that event with the County FSA office. Key that Tribal folks get an event to the state forester so they can get it in the system.

Paul Strong – At the NGLVC they are working with a variety of agencies on the concept of agroforestry (middle ground between agriculture and forestry). They are working on an initiative to demonstrate different kinds of agroforestry practices, Upper Midwest Hazelnut Development Initiative which could turn into an agroforestry practice that private landowners can use. Tribal Forest Protection Act passed in 2004 mostly in response to large wildfires in the West – Act authorizes the USFS to work with Tribes so that they can work on projects on National Forest that benefit the Tribes. This has not had a lot of attention even though it has been around 8 years; recently it has come up more. There will be a field tour on the 16th at Menominee. They also have Stewardship Contracting – it expires this year as the Farm Bill is ending, hope to make it permanent. They have the ability to take the value of wood products being harvested from the National Forest and instead of collecting the money, the contractors could do some work. There is a provision that they can enter into these agreements to work preferentially with Tribes. Lastly, Secure Rural Schools and Community Self Determination Act provides each county with a payment based on revenue sharing laws, when the counties receive

the payment they have to set aside a portion to fund projects on or near the National Forest and very soon there will be a call for proposals for the expenditure of the funds and the Resource Advisory Committees will advise Paul on how to allocate the funds, he thinks this could be useful to the Tribes. He will send Pat Pelky contact information on these programs.

8. INCA

Jonathan Pyatskowit - He attended an INCA board meeting in Mid-July in Bozeman. The Director of the USDA office of Tribal Relations met with them. They are trying to figure out how INCA fits into the whole picture. She suggested that INCA should work on getting out to Washington to do some education things; they are looking at putting together a booklet like ours. He suggested that INCA and WTCAC directors do it jointly. There is a misunderstanding of what the 2 different groups do as we have different functions. ***Have Jerry look into working together to get message across. INCA is pursuing foundation funding, WTCAC should do the same! INCA has an organizational chart to educate where the different pieces fit in and also identifies some of the needs – they have an executive director, a CD specialist, grant management, technical specialist, HR person, and financial manager. We need to free up time for our Program Manager. We should have a separate meeting to discuss with INCA as it is in our best interest.

9. Wisconsin Wetland Association

Tracey Hames – They worked with Bad River Tribe in the listing of the Bad River and Kakagon Sloughs as Wetlands of International Importance. It is the first Tribally owned wetland to ever be listed. They are continuing on with their NEPA assessment, hopefully putting together the Tribal needs assessment (probably ready next spring). He is really interested in getting out with all the Tribes here at some point and learning about us. Their conference this winter will be in Sheboygan and he is very interested in getting Tribal participation at the conference, he would love to have tribal presentations – February 12 – 14 in Sheboygan. State passed new wetlands bill this past winter that had some bad things in it, right now they are developing the implementation of the bill, it changed the way the state regulates fills. If you get a permit to fill a wetland you used to have to do mitigation, with the new system, when a wetland is filled, the contractor then pays into a fund that does some good sometime somewhere, they are thinking about how to develop this program. WWA is very interested in helping them develop those programs and he would like to get the Tribes involved on how they develop this.

10. NRCS Update

Pat Leavenworth – The Undersecretary for Natural Resources and Environment was here a couple of weeks ago, he is over USFS and NRCS. He visited Oneida and Menominee for a full day each, she was with at Oneida. He was very impressed with what the Tribes are doing. He was very interested in WTCAC. The House voted no to extend the Farm Bill for one year and passed a disaster package so they took money out of EQIP and Conservation Security Program. There is real pressure to have Congress a full Farm Bill so farmers can plan 5 years out instead of year to year. She passed out a comparison of both bills (attached); she feels they are very close. NRCS formed 3 Regional TCACs and the Central One will be meeting at the end of August at Oneida, she is a member of it,

there are Tribal reps, and Pat Pelky is representing WTCAC. The TSP pilot is proceeding well (attach handout). This is a national pilot and was raised by Tribes throughout the country at listening sessions and the national office came to them with funding to have them do this pilot.

NRCS Training Update

Chris has a handout to go through that takes all of our notes and puts them on 4 or 5 sheets.

Harmony Training Update – Tina – Everything is pretty much set, speakers are in place, she had 2 cancel this week, but they were able to find 2 speakers to replace them. They purchased hand crafted gifts for each participant. 42 people have signed up and there are 12 total speakers.

NRCS Technical Recommendation Update – Chris Borden and Keith – Chris handed out a packet of info (attach) that details the conversations that Chris, Keith and Randy have been having. Now you still have the practice but there are all these components that are being created by national teams. Therefore the practice is broken down into components to create scenarios, they are extremely detailed. Developing costs are now not done on state level, but at the national level and they develop a cost rate for each state. What is WTCAC's role in creating the scenarios? Still make technical recommendations in the same way but state staff would have to elevate it to national to get it implemented, stay with January meeting. Component lists for most non engineering practices have not been released yet. There will be a tri-state list of practices and then each state can pick and choose from that to create a state docket. We should still be able to have a WTCAC docket. They will have more next month.

WTCAC Ranking tool and process – Tony Bush

He handed out the ranking process for 2013 based on the process template sent out by NRCS and he tweaked it for WTCAC (attached). It has changed quite a bit from last year; send ideas on how to make question #4 more black and white. Please send Tony your thoughts.

Undersecretary Meeting

Do we now have access to him? We are running into trouble with funding, can we ask him about our issues with funding? Can he do anything for us? Are discretionary funds to help fund us for just one year? Pat L thinks we could approach him about these things. She will mention it to Janie Hipp. There may be potential for Barb to get us funds and Paul Strong as well. It is important to retain staff.

11. Other Business

GLRI Grant – Get back to Jerry with any ideas

Tri-State Training – Go ahead with the end of September and see what happens

12. Executive Session

MOTION: Motion to go into Executive Session. Motion by Menominee, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

MOTION: Motion to leave Executive Session. Motion by Mole Lake, seconded by Menominee. All ayes, zero opposed, motion carried.

MOTION: Motion to direct Pat Pelky to move forward with a \$15,000 loan request from Oneida. Motion by Menominee, seconded by Mole Lake. All ayes, zero opposed, motion carried.

MOTION: Motion to adjourn. Motion by Menominee, seconded by Mole Lake. All ayes, zero opposed, motion carried. Meeting adjourned at 1:07 pm.

EMAIL MINUTES 8/16/2012

MOTION: Motion to authorize Jerry Thompson to sign the 2501 Outreach Grant on behalf of WTCAC. Motion by LCO, seconded by Stockbridge. Seven ayes (LCO, Stockbridge-Munsee, Mole Lake, St. Croix, Menominee, FCPC, Red Cliff), zero opposed, motion carried.

ATTACHMENTS

WTCAC Meeting
August 9, 2012
Red Cliff

Year to date program utilization

	<u>Allocation</u>	<u>Obligated</u>	<u>Projects</u>
Direct CF Loan	\$21,373,563	\$14,914,000	5
CF Grant	\$ 246,300	\$ 245,975	7
CF EII Funds	\$ 105,300	\$ 105,300	3
Guaranteed CF	\$ 5,500,000	<u>\$ 5,500,000</u>	2
TOTAL CF		\$20,765,275	

Tribal projects – 1 grant (Tribal college grant not included as not obligated yet)
Grants were used for community equipment (brush truck, mowers, county truck/w salt hopper, plow truck, squad car), daycare initiative (playground equipment), library equipment and furnishings, generator and radios for fire department, renovation of community center, health care equipment.
Future – limit grants to initiatives (Know your farmer, know your food; library, childcare, healthcare (electronic records), fire protection and public safety).

Several large CF combination direct and guaranteed loans for assisted living facilities.

No current applications from Tribes.

	<u>Allocation</u>	<u>Obligated</u>	<u>Projects</u>
WW Loan	\$17,066,000	\$21,868,850	19
WW Grant	\$ 7,340,000	<u>\$ 6,871,420</u>	15
Total		\$28,740,270	

No tribal projects. 2 grants were search grants limited to \$25,000 which can be used for planning purposes. There are 306-C tribal set aside funds for this program.

No current applications from Tribes

SUTA provisions may provide some additional opportunities for Tribes

Business Programs	<u>Funded</u>	<u>Projects</u>
IRP	\$ 380,000	1
REDLG	\$ 1,000,000	1
VAPG (2011 funding)	\$ 6,852,565	25
RBEG	\$ 651,769	7 (3 Tribal)
Energy	\$ 580,448	15
Guaranteed B&I	<u>\$21,729,280</u>	9
TOTALS	\$31,194,062	

RBOG program application period just closed.

VAPG NOFA is not out yet – Rumor are there is an Administrative Notice in clearance that further defines eligibility criteria which may help Tribes to be eligible.

FAC Meeting (Food and Agricultural Council Meeting) for Tribal Chairpersons or their designee – to be held in Stevens Point on Tuesday September 11, 2012 – exact location TBD. The meeting starts at 11:00 and typically runs 1- 2 hours. This is a management meeting of the heads of the USDA agencies. Teleconference will be available. Please let me know prior to the meeting if Tribal Chairs will be calling in.

What can WTCAC do to help increase Tribal utilization of programs:

- 1) Spread the word about different programs within community. If there are barriers other than regulatory changes – contact me so we can discuss.
- 2) Encourage staff to contact me to be directed to specific program specialist if they are interested in a particular program.
- 3) Business programs and highly subscribed. Put thought into application and structure to obtain highest point scoring.



United States Department of Agriculture

Attention Hispanic and Women Farmers and Ranchers

COMPENSATION FOR CLAIMS OF PAST DISCRIMINATION

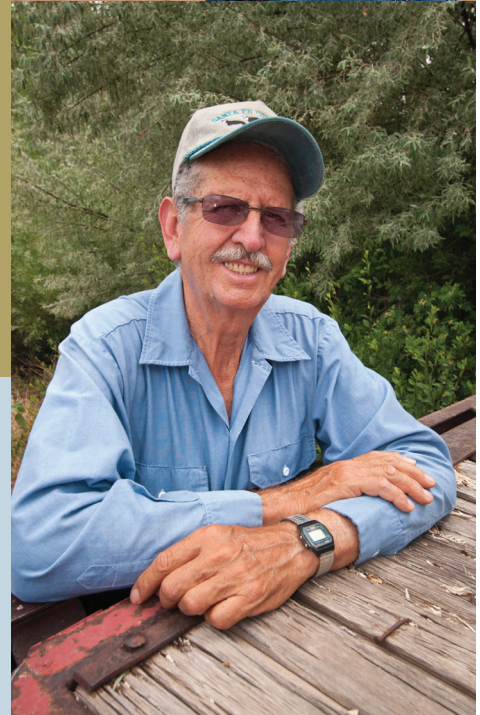
If you believe that the United States Department of Agriculture (USDA) improperly denied farm loan benefits to you between 1981 and 2000 because you are Hispanic or female, you may be eligible to apply for compensation. This means you may be eligible if:

- 1 You sought a farm loan or farm-loan servicing during that period;
- 2 The loan was denied, provided late, approved for a lesser amount than requested, approved with restrictive conditions, or USDA failed to provide an appropriate loan service; and
- 3 You believe these actions were based on your being Hispanic or female.

For guidance, you may contact an attorney or other legal service provider in your community. If you are currently represented by an attorney regarding allegations of discrimination or in a lawsuit claiming discrimination, you should contact your attorney regarding this claims process. USDA cannot provide legal advice to you.

If you think you might be eligible to file a claim, please access the Hispanic and Women Farmer and Rancher Call Center or Website:

1-888-508-4429 www.farmerclaims.gov



Atención A Todos Agricultores O Ganaderos Hispanos y a Mujeres Agricultoras O Ganaderas

COMPENSACIÓN POR RECLAMACIÓN DE DISCRIMINACIÓN

Si usted considera que el Departamento de Agricultura de Estados Unidos (USDA por sus siglas en inglés) le negó indebidamente beneficios de préstamos agrícolas durante los años 1981 y 2000 por ser hispano o mujer, es posible que cumpla con los requisitos para solicitar compensación. Usted podría cumplir con los requisitos si:

- 1 solicitó del USDA un préstamo agrícola o servicios de administración de préstamos agrícolas durante ese período, y
- 2 el préstamo fue negado, otorgado tarde, aprobado por un monto menor al solicitado o aprobado con condiciones restrictivas, o el USDA no prestó un adecuado servicio de administración de préstamo, y
- 3 usted considera que estos actos ocurrieron por ser usted hispano o mujer.

Para recibir mayor orientación, puede comunicarse con un abogado u otro proveedor de servicios legales en su comunidad. Si actualmente lo representa un abogado con respecto a quejas de discriminación o ha iniciado una demanda alegando discriminación por el USDA, debe ponerse en contacto con su abogado respecto a este proceso de reclamaciones. El USDA no le puede dar asesoría legal.

Si usted considera que es elegible para solicitar compensación, puede llamar al Centro de Llamadas para Agricultores y Ganaderos o ingresar a la página web:

1-888-508-4429 www.farmerclaims.gov

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Jim Ruppel – Clean and Healthy Tribal Casino Workshop on September 18 and 19 hosted at Grand Portage. The Tribal Lands Forum is being held from August 20 – 23 in Oregon. The NTEC Conference is being held in Michigan from August 26 - 29. Jim introduced Darrel Harmon, the new Region 5 IEO Director. He just wanted to stay and see what we do and meet us. He plans to stay in this position until he retires. He wanted to learn what we do. Pat welcomed him and explained to him what we do.

5. WTCAC Pre-Discussions on Technical Standards

Pat Pelky sent the letter to Pat Leavenworth that he was directed to do, she responded the next week (letters attached). Randy and Keith have been meeting with Technical Staff. Randy is working on non-engineering practices (wild rice, invasive species, etc.). Keith has been working with the engineering staff and has talked about the process for us to get our practices in the system. It is quite an extensive process, each practice broken into components. They have to go through each component to make sure they line up with what we would like to see in the Tribal docket. These components need to be on a national list. NRCS yesterday agreed to submit all of our stream crossing and fish

passage scenarios. The state engineering staff has agreed to submit all scenarios requests through a website at the national office, they will have no idea who the request came from and they will respond back whether they accept, reject, or need more information. They are receiving thousands of requests every day, Wisconsin will submit and then will find out if they are accepted. The cost estimates are also submitted. They are waiting for Matt Otto to get back from leave on August 13. They are working with an engineer out of Michigan on aquaculture practices. Most components will be separate contract items. Chris Borden will have more to add tomorrow. We can likely still create our own WTCAC docket by pulling things out of the 3 state docket. NRCS eliminated their deadlines as they could not meet them; it is now open ended at this point. Come 2013 there has to be a docket. Access roads are another issue. Michigan tribes do not know about this yet. Randy and Keith had a conference call a couple of weeks ago with the NRCS tribal liaison in Minnesota and they convinced her to have the Tribes accept our docket to start with and expand it from there as they were going to have a meeting to talk about developing a TCAC. August 28 and 29th meeting will be the first Regional TCAC meeting in Oneida. Pat Pelky is a representative, 8 Tribal members from throughout the Midwest. Pat Pelky is the only one from a Tribal organization and 3 state conservationists (Pat Leavenworth is one). How will our cookbook retain our unique resource needs?

6. IAC Update

Dan Cornelius – Next week is the first meeting of the Council on Native American Farming and Ranching in DC, it came out of the Keepseagle lawsuit. The Council is comprised of USDA and Tribal representatives from across the country. They are an advisory committee that reports directly to Secretary Vilsack. Dan has some funding to hold a three state regional meeting at the end of September. It would be a normal WTCAC meeting and Minnesota and Michigan folks could have their own meetings and then come together to talk about new payment and docket system and other issues tribes are facing throughout the region. Potential dates are September 25 – 27 at Lac du Flambeau. Talk about Tribal dockets and APHIS PPQ would like to talk about things as well, some time to invite other USDA agencies to give an update. Talk about a Tri-state organization? Katie will help Dan and Jerry with this, Eric Chapman agreed to be the Lac du Flambeau contact if they are hosting it there. Jerry should get a hold of them.

There is a USDA programs workshop in Bay Mills on Tuesday, August 28. The community college has just started a farm and has used a variety of USDA programs to do it. It is an innovative, good operation. They are going to start off in classroom describing USDA programs and then going in the field looking at the operation, what they are doing, and how they have gotten there. He passed out information sheets on the workshop.

Farm Bill brain storming session – Our commodities program doesn't do us any favor by having pork, beef etc. in there and not traditional foods, Tribes have not been served by the Farm Bill for years and should have been, Tribes are behind. We need to find a way for the Tribes to have a process to have more influences on the creation of the Farm Bill; we need to find a way to be invited to the table early on when they begin drafting it. We

haven't been able to make an impact by first commenting on it after it has been written. Community food assessment, are Tribes interested, talk to Dan.

7. Strategic Plan

We need to uppcase Federal in all cases, add approval date on footer, and change date to August 2012.

MOTION: Motion to approve the revised WTCAC Strategic Plan. Motion by Menominee, seconded by Mole Lake. All ayes, zero opposed, motion carried.

Below is a list of updates on the task list. Nate will incorporate them into the actual task list document.

- 1.1 – Task 1 – Randy was working it
- 1.2 – Task 1 – Pat will have it done by October 31, 2012
- 1.2 – Task 2 – Pat would be the lead and start on August 28, 2012 move to 2.2
- 1.2 – Task 3 – Develop tracking system of technical recommendations, Randy and Keith start tomorrow and end by September 30.
- 1.3 – Task 1 – Tina will be drafting a letter of how we function and then we were going to comment on it, ending date of September 30.
- 1.3 – Task 2 – Completed
- 2.1 – Task 1 – Done – Pat Pelky was selected
- 2.1 – Task 2 – Change wording to say “Develop an SOP for how we communicate with the RTCAC
- 2.2 – Task 1 – Add Pat
- 2.3 – Task 1 – change person to Pat
- 2.3 – Task 2 – Pat was appointed
- 2.3 – Task 3 – Jerry yearly
- 2.3 – Task 4 – Get a list of other TCACs with contact name and phone number and check in with them on a regular basis, maybe send them minutes, verify if they are officially recognized – Jerry
- 2.4 – Task 1 – Should be Jerry
- 2.4 – Task 2 – Same
- 2.4 – Task 3 – Should be Jerry
- 2.4 – Task 4 – Same
- 2.4 – Task 5 – Pat will follow up with Randy and have him contact Dan Cornelius
- 2.5 – Task 1 – Same – change IAC to national Tribal organizations
- 2.5 – Task 2 – Should be Jerry
- 3.1 – Task 1 – Ending at 9/30/12 at this point
- 3.1 – Task 2 – Change to “Resource Concern, Technical, and Program Training”
- 3.1 – Task 3 – Change to “Train officers on WTCAC SOP for continuance of WTCAC in absence of WTCAC Program Manager”
- 3.2 – Task 1 – Jerry – no changes
- 3.2 – Task 2 – no change
- 3.3 – Task 1 – done
- 3.3 – Task 2 – done
- 3.3 – Task 3 – ongoing

- 3.3 – Task 4 – Write another grant for more interns – Jerry
- 3.4 – Task 1 – Ongoing
- 3.4 – Task 2 – Ask Jerry if he contacted them
- 3.4 – Task 3 – Done
- 3.4 – Task 4 – Dan said they have a new tribal liaison that would like to come to WTCAC
- 3.4 – Task 5 – Pat is trying to find the liaison and she if they have a new liaison and Jonathan will likely always attend – Pat will also try to get Cathy Stepp at a meeting
- 3.4 – Task 6 – Sarah will check with Randy to see where it is at
- 3.4 – Task 7 – Develop an agency update form – Sarah and Jeremy will do it by next WTCAC meeting

8. Announcements

Lead Training Conference hosted by Oneida – handed out an information/registration sheet. This would be for Tribal vendors also. They need this training and can get it here free.

Thursday, August 9

1. Roll Call

Present: Mole Lake (Tina Van Zile), Oneida (Pat Pelky), Red Cliff (Melonee Montano), St. Croix (Katie Stariha), FCPC (Nate Guldán), Bad River (Lacey Hill), Ho-Chunk (Sara Hatleli), Menominee (Jeremy Pyatskowitz), LCO (Brett McConnell)

Others Present: Tony Bush (NRCS), Gary Haughn (NRCS), Carl Beckman (FSA), Susan Hunter (FSA), Janice Kelley (NRCS), Tom Fredrickson (NRCS), Pat Leavenworth (NRCS), Robert Battaglia (NASS), Michael Arce (WTCAC Intern), Tracey Hames (Wisconsin Wetland Association), Olie Basina Sr (Red Cliff), Bob Willging (APHIS), Pam Engstrom (APHIS), Jason Suckow (APHIS), Austin Mika (WTCAC Intern), Jonathan Pyatskowitz (INCA/DNR), Dylan Jennings (WTCAC Intern), Allissa LaGrew (WTCAC Intern), Derek Taylor (WTCAC Intern), Jacob Trepanier (WTCAC Intern), Tashena Van Zile (WTCAC Intern), Chad Abel (Red Cliff), Paul Strong (USFS), Tom Kenote (WTCAC Intern), Tom Melnarik (NRCS), Keith Sengbusch (WTCAC), Nicholas DePlonty (WTCAC Intern), Carl Butterfield (Red Cliff Farm Project), Susan Moore (Red Cliff Farm Project), Chris Borden (NRCS), JoAnn Cruse (APHIS), Donna Huebner (RD), Barb Tormoehlen (USFS)

2. Intern Presentations

Nicholas DePlonty – JW Toumey Nursery – Study on comparing greenhouse to bare root growth of jack pine

Jacob Trepanier – LCO

Thomas Kenote – Wildlife Service in Rhinelander – He worked with Menominee on a Purple loosestrife survey.

Derek Taylor – LCO – He worked for NRCS Spooner.

Austin Mika – Main project was woody debris installation on Iron River worked with NRCS in Ashland

Northern Great Lake Visitor Center (2 interns) – Indigenous Peoples Tour and Northwoods Ed-venture series. I-Tree – they surveyed the GLVC land, took up most of their time.

Michael Arce – Oneida – Little Bear Development Center – Houses NRCS, Environmental Health and Safety Division and Planning Department, worked on aquaponics project as well as other things.

Tashena Van Zile – NRCS in Rhinelander – Her special project was the Harmony Training – helped collect birch bark for one of the projects

3. Approval of Minutes

Change communists to communities in the Wisconsin Wetland Association section.

MOTION: Motion to approve the June 20, 2012 minutes with modification. Motion by Menominee, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

4. FSA Update

Susan Hunter – Update Attached – Tribes can report crop losses to FSA office – local FSA director out of Ashland is here as well

Brad Pfaff – Southern Wisconsin has had an abnormally dry summer – 23 counties are considered extreme drought and a number of counties in severe drought. They have been meeting with groups to discuss the impacts on family farmers and rural communities. In Congress, the current Farm Bill expires at the end of September 2012. Currently they are on August recess; the full Senate passed the reauthorization of the 5 year Farm Bill however it is not scheduled in House for floor vote.

5. APHIS Update

APHIS – JoAnn Cruse – Not a lot to update, they anticipate there will be a continuing resolution for at least the first 6 months. They are still going through modernization and reorganization we shouldn't see any changes. EAB was found in Janesville and several locations in Walworth County. Rock and Walworth County were added to the federal quarantine. She will send out an update to EAB surveys with the Tribes. Starting August 20th the traps can probably come down. Nationally they have quarantined the whole state of Virginia for EAB and it was also found in Connecticut and Kansas City. Each week they get 2 -3 updates throughout the US where they are adding counties. Gypsy moth – they are around 99,000 moths caught in the western half of the state, a lot in Bayfield and Ashland Area. ICS Exercise – September 10, probably be sending out more information next week.

Jason Suckow – He thanked the interns and WTCAC for hosting the interns. He heard Tom Kenote did a great job. Wildlife Services continues to work with all the Tribes in Wisconsin. They are working with Bad River on wild rice and trout and Red Cliff to protect sensitive habitat by removing deer on an island. They have donated 150 deer to Red Cliff. With Lac du Flambeau they are developing an MOU as it relates to wildlife damage management and beaver and bear issues. They also did an MOU with FCP. With Menominee they are assisting with Canada goose issues and with St Croix they have a longstanding agreement dealing with bear issues. They are assisting Ho-Chunk wolf management and LCO with wolf management and bear issues. All Tribes received letters this year as they are in the process of updating their NEPAs. They are updating the beaver EA because of the wolf harvest season and need to do a wolf supplement. Their EAs are better when they can get the Tribal perspective. He will be contacting a couple of Tribes who have submitted a request for a sandhill crane season (Mole Lake, Fond du Lac, Red Cliff and Bad River were toying around with it as well). They work

closely with the International Crane Foundation. They continue to work closely with GLIFWC as well.

6. Rural Development

Donna Huebner (report attached) - WTCAC can help as Tribes only applied for 1 grant so we need to help get the word out there. Know your farmer, know your foods – Hoop houses would be able to help*** Playground equipment, fire protection and fire safety. CF = Community Facilities. WW= Water and Waste – no Tribes applied this year – there is a tribal set aside for Water and Waste. VAPG = Value added producer grant – 2012 funding not released yet – still trying to change it so Tribes can apply. Food and Ag Council Meetings – Brad, Stan G, and Pat L work with other state directors. Next meeting is September 11 in Stevens Point. Pass this on to Tribal Chairs. WTCAC needs to help spread the word on conservation programs. If programs are too hard or don't work, let her know so she will see what she can do.

7. USFS

Barb Tormoehlen – Set up meeting with her to see what we can do**** Yearend activities are wrapping up – 80% of their funds go out in grants to state forestry agencies, universities, NGOs, etc. and Tribes. They just released their RFP for FY 2013. 15% of funds are competed in support of state forest action plans but they share this competition with other partners and Tribes. The pre-proposal process for Wisconsin is being developed right now, as soon as Barb gets it she will make sure Pat Pelky gets a copy, the deadline is October 15 but Wisconsin will likely request a week in advance. In addition, the national office has just released to DOI a request for forest health suppression projects. The BIA has until October 10th to get all projects into a database for 2013 funding. They are looking for GLRI projects that address conservation items in Areas of Concern – Duluth /Superior, Ashland, and Green Bay. Emergency Forest Restoration Program – they administer through FSA – for any natural disaster that occurs on Tribal Forest Lands. The state forester has to identify that event with the County FSA office. Key that Tribal folks get an event to the state forester so they can get it in the system.

Paul Strong – At the NGLVC they are working with a variety of agencies on the concept of agroforestry (middle ground between agriculture and forestry). They are working on an initiative to demonstrate different kinds of agroforestry practices, Upper Midwest Hazelnut Development Initiative which could turn into an agroforestry practice that private landowners can use. Tribal Forest Protection Act passed in 2004 mostly in response to large wildfires in the West – Act authorizes the USFS to work with Tribes so that they can work on projects on National Forest that benefit the Tribes. This has not had a lot of attention even though it has been around 8 years; recently it has come up more. There will be a field tour on the 16th at Menominee. They also have Stewardship Contracting – it expires this year as the Farm Bill is ending, hope to make it permanent. They have the ability to take the value of wood products being harvested from the National Forest and instead of collecting the money, the contractors could do some work. There is a provision that they can enter into these agreements to work preferentially with Tribes. Lastly, Secure Rural Schools and Community Self Determination Act provides each county with a payment based on revenue sharing laws, when the counties receive

the payment they have to set aside a portion to fund projects on or near the National Forest and very soon there will be a call for proposals for the expenditure of the funds and the Resource Advisory Committees will advise Paul on how to allocate the funds, he thinks this could be useful to the Tribes. He will send Pat Pelky contact information on these programs.

8. INCA

Jonathan Pyatskowitz - He attended an INCA board meeting in Mid-July in Bozeman. The Director of the USDA office of Tribal Relations met with them. They are trying to figure out how INCA fits into the whole picture. She suggested that INCA should work on getting out to Washington to do some education things; they are looking at putting together a booklet like ours. He suggested that INCA and WTCAC directors do it jointly. There is a misunderstanding of what the 2 different groups do as we have different functions. ***Have Jerry look into working together to get message across. INCA is pursuing foundation funding, WTCAC should do the same! INCA has an organizational chart to educate where the different pieces fit in and also identifies some of the needs – they have an executive director, a CD specialist, grant management, technical specialist, HR person, and financial manager. We need to free up time for our Program Manager. We should have a separate meeting to discuss with INCA as it is in our best interest.

9. Wisconsin Wetland Association

Tracey Hames – They worked with Bad River Tribe in the listing of the Bad River and Kakagon Sloughs as Wetlands of International Importance. It is the first Tribally owned wetland to ever be listed. They are continuing on with their NEPA assessment, hopefully putting together the Tribal needs assessment (probably ready next spring). He is really interested in getting out with all the Tribes here at some point and learning about us. Their conference this winter will be in Sheboygan and he is very interested in getting Tribal participation at the conference, he would love to have tribal presentations – February 12 – 14 in Sheboygan. State passed new wetlands bill this past winter that had some bad things in it, right now they are developing the implementation of the bill, it changed the way the state regulates fills. If you get a permit to fill a wetland you used to have to do mitigation, with the new system, when a wetland is filled, the contractor then pays into a fund that does some good sometime somewhere, they are thinking about how to develop this program. WWA is very interested in helping them develop those programs and he would like to get the Tribes involved on how they develop this.

10. NRCS Update

Pat Leavenworth – The Undersecretary for Natural Resources and Environment was here a couple of weeks ago, he is over USFS and NRCS. He visited Oneida and Menominee for a full day each, she was with at Oneida. He was very impressed with what the Tribes are doing. He was very interested in WTCAC. The House voted no to extend the Farm Bill for one year and passed a disaster package so they took money out of EQIP and Conservation Security Program. There is real pressure to have Congress a full Farm Bill so farmers can plan 5 years out instead of year to year. She passed out a comparison of both bills (attached); she feels they are very close. NRCS formed 3 Regional TCACs and the Central One will be meeting at the end of August at Oneida, she is a member of it,

there are Tribal reps, and Pat Pelky is representing WTCAC. The TSP pilot is proceeding well (attach handout). This is a national pilot and was raised by Tribes throughout the country at listening sessions and the national office came to them with funding to have them do this pilot.

NRCS Training Update

Chris has a handout to go through that takes all of our notes and puts them on 4 or 5 sheets.

Harmony Training Update – Tina – Everything is pretty much set, speakers are in place, she had 2 cancel this week, but they were able to find 2 speakers to replace them. They purchased hand crafted gifts for each participant. 42 people have signed up and there are 12 total speakers.

NRCS Technical Recommendation Update – Chris Borden and Keith – Chris handed out a packet of info (attach) that details the conversations that Chris, Keith and Randy have been having. Now you still have the practice but there are all these components that are being created by national teams. Therefore the practice is broken down into components to create scenarios, they are extremely detailed. Developing costs are now not done on state level, but at the national level and they develop a cost rate for each state. What is WTCAC's role in creating the scenarios? Still make technical recommendations in the same way but state staff would have to elevate it to national to get it implemented, stay with January meeting. Component lists for most non engineering practices have not been released yet. There will be a tri-state list of practices and then each state can pick and choose from that to create a state docket. We should still be able to have a WTCAC docket. They will have more next month.

WTCAC Ranking tool and process – Tony Bush

He handed out the ranking process for 2013 based on the process template sent out by NRCS and he tweaked it for WTCAC (attached). It has changed quite a bit from last year; send ideas on how to make question #4 more black and white. Please send Tony your thoughts.

Undersecretary Meeting

Do we now have access to him? We are running into trouble with funding, can we ask him about our issues with funding? Can he do anything for us? Are discretionary funds to help fund us for just one year? Pat L thinks we could approach him about these things. She will mention it to Janie Hipp. There may be potential for Barb to get us funds and Paul Strong as well. It is important to retain staff.

11. Other Business

GLRI Grant – Get back to Jerry with any ideas

Tri-State Training – Go ahead with the end of September and see what happens

12. Executive Session

MOTION: Motion to go into Executive Session. Motion by Menominee, seconded by Ho-Chunk. All ayes, zero opposed, motion carried.

MOTION: Motion to leave Executive Session. Motion by Mole Lake, seconded by Menominee. All ayes, zero opposed, motion carried.

MOTION: Motion to direct Pat Pelky to move forward with a \$15,000 loan request from Oneida. Motion by Menominee, seconded by Mole Lake. All ayes, zero opposed, motion carried.

MOTION: Motion to adjourn. Motion by Menominee, seconded by Mole Lake. All ayes, zero opposed, motion carried. Meeting adjourned at 1:07 pm.

EMAIL MINUTES 8/16/2012

MOTION: Motion to authorize Jerry Thompson to sign the 2501 Outreach Grant on behalf of WTCAC. Motion by LCO, seconded by Stockbridge. Seven ayes (LCO, Stockbridge-Munsee, Mole Lake, St. Croix, Menominee, FCPC, Red Cliff), zero opposed, motion carried.

ATTACHMENTS



Patrick J. Pelky, President
P.O. Box 365, Oneida, Wisconsin 54155
(920) 869-4590, ppelky1@oneidanation.org

*Bad River Band
of Lake Superior
Chippewa Indians*

July 2, 2012

*Forest County
Potawatomi
Community*

USDA Natural Resources Conservation Service
Ms. Patricia Leavenworth, State Conservationist
8030 Excelsior Drive, Madison, WI 53717

Hto-Chunk Nation

*Lac Courte Oreilles
Band of Lake
Superior Chippewa
Indians*

Dear Patricia: *Pat*

*Lac Du Flambeau
Band of Lake
Superior Chippewa
Indians*

The Wisconsin Tribal Conservation Advisory Council wishes to make you aware of some concerns that we have regarding the development of the 2013 EQIP Tri-State practice schedule. WTCAC has been working closely with Wisconsin NRCS for more than ten years now, and together we have had tremendous success in improving Tribal access to USDA programs. It seems that this Tri-State practice schedule process has the potential to impact our future partnership and success, and that it was an important time to engage all the Wisconsin Tribes in meaningful consultation concerning this new direction for delivery of NRCS programs.

*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*

Our first concern is that some of the Conservation Solutions used by the Wisconsin Tribes involve a suite of practices, used together to build a "System". In order for these systems to work, the proper Components must be present in each Standard to accommodate the System. A good example is an Aquaculture System, which will require items such as: Underground Outlet (Standard 680), Well (Standard 642), Pumping Plant (Standard 533), Heavy Use Area Protection (Standard 561) and many others. Each of these Standards must have appropriate components, and appropriate Scenarios, in order for the Aquaculture System to work. Presently it appears that many of these individual standards are assigned to multiple NRCS Teams, in multiple States, for scenario development without Tribal input or consultation. This multi-State, multi-team process seems to be kind of disjointed and we are greatly concerned that appropriate complete systems to meet Tribal needs may not be met. Particularly as these Teams are not consulting with the Tribes, or inviting the Tribes to be part of the process. As Consultation would take place, greater detail could be provided to explain these scenarios and to ensure that some component isn't inadvertently left out.

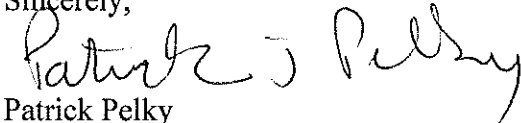
Another concern regards unique components developed by WTCAC over the years to address specific Tribal Concerns. As you are aware, the tribes have unique agricultural enterprises, and consequently unique conservation needs. Some examples of unique components that have been developed for use within EQIP and/or WHIP for example are: Under Standard 644, Tree Drops, Loon Nesting Platforms, Osprey Nesting Platforms, Wood Duck Nesting Boxes, and Wild Rice Seeding, and under Standard 643, Fish Cribs. As Consultation takes place, greater detail can be provided as to other unique needs.

Another concern regards the continued availability of a WTCAC Tribal specific List of Eligible Practices & Payment Schedules. As you are aware, this has been the manner in which EQIP has been presented to the Wisconsin Tribes for the past several years. Having a separate schedule has been important to WTCAC in order to simplify planning decisions, and to present unique practices available only to the Tribes. We are very much interested in having a Tribal Schedule available in the future but are unclear as to how this will continue under this new Tri-State direction.

Our greatest concern is that NRCS unilaterally decided to move to this Tri-State Payment Schedule process, and the resulting technical standards scenario development, without ever consulting with any of the Tribes in the Tri-State Area. It is only through the very strong working relationship that WTCAC has directly with you as Wisconsin's State Conservationist that we are even aware of this change. WTCAC most certainly cannot speak on behalf of the Tribes in Michigan and Minnesota, and in the sense of true Tribal Consultation, cannot speak on behalf of our own Tribal Governments concerning this process, as the opportunity for true Tribal Consultation has been missed. Therefore WTCAC, in its role as the Wisconsin Tribal Technical Committee, respectfully requests to be included in the Payment Schedule development process to ensure our Wisconsin Tribal concerns and needs are considered. At the same time, we'd like to bring to your attention the need for the NRCS to consult with the Tribes in Michigan and Minnesota. If this Tri-State Payment Schedule process is going to be law-of-the-land for three States, WTCAC cannot be assumed to be the voice of the Tribes outside of Wisconsin.

Please feel free to forward this letter to anyone you wish, and to expand or explain our concerns to other NRCS officials as you feel necessary. Our sense is that there is some urgency to making the national office aware of our need for Consultation, so prompt communication may be necessary. We would appreciate communication of responses as you receive them. Thank you for your constant and consistent consideration of our concerns.

Sincerely,



Patrick Pelky

President, Wisconsin Tribal Conservation Advisory Council

United States Department of Agriculture



Natural Resources Conservation Service
Wisconsin State Office
8030 Excelsior Drive, Suite 200
Madison, WI 53717-2905
Phone: (608) 662-4422
Fax: (608) 662-4430

July 12, 2012

Patrick J. Pelky, President
Wisconsin Tribal Conservation Advisory Council
P.O. Box 365
Oneida, Wisconsin 54155

Dear Mr. Pelky:

A handwritten signature in blue ink that reads "PAT".

Thank you for your letter dated July 2, 2012 (attached) which outlines several concerns that the Wisconsin Tribal Conservation Advisory Council (WTCAC) wished to elevate to me regarding the development of the 2013 EQIP Regional Payment Schedules. Your concerns include the following:

1. Concern that individual standards are assigned to multiple NRCS Teams, in multiple states for scenario development without Tribal input or consultation. This may place in jeopardy the conservation solutions where suites of practices are used together to build a "System".
2. Concern with being able to retain unique components that have been developed for use within EQIP and/or WHIP to address the unique agricultural enterprises, and consequently unique conservation need of the Tribes.
3. Concern regarding the continued availability of a WTCAC Tribal Specific List of Eligible Practices and Payment Schedules.
4. Concern with the fact that Consultation with Tribes should have taken place and needs to take place now to assure that Tribal needs and concerns are considered.

First, I appreciate your communicating these concerns to me. This new process was initiated nationally and the first phase of doing 15 practice standards began about a year ago. It was put in place to bring consistency to the payment schedule process. To my knowledge, the Wisconsin Tribes who had contracts with one or more of the 15 practices were able to utilize them. A special purpose fence scenario was developed to include aquaculture facilities in one instance.

This second round is a much larger undertaking and includes all remaining practices—many much more complex than the first 15 practices. I take responsibility for making sure that Consultation takes place as much as possible with WTCAC as we approach the September

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deadline for completion. I propose that Chris Borden, Wisconsin NRCS Tribal Resource Conservationist, serve as liaison with WTCAC to link with the various teams during this time. While the process appears complex NRCS has significant flexibility in the development of the scenarios, just as we have had in the past. And, as we discussed at the June WTCAC meeting, I would like to be proactive by getting scenarios that Tribes need to the teams and National Headquarters. As Chris Borden has stated, this can also be an opportunity to develop an even better consultation process. Then this can be shared with other Tribes to use as well in as we complete the creation of the new schedules throughout the country and move into continuous improvement of those set in place to meet the needs of our customers.

Finally, I have stated that Wisconsin will continue to provide the WTCAC-specific "List of Eligible Practices and Payment Schedules". The revised payment schedule development process will not affect the availability of the WTCAC "Cookbook".

I did touch base with the State Conservationists in Michigan and Minnesota. Michigan has not been contacted by Tribes with concerns about the Tri-state Regional Payment Schedule process. Some of Minnesota's Tribes expressed concerns and some did not. Now that we have a Central Region Tribal Conservation Advisory Council, perhaps this could provide a forum for these types of issues which transcend state boundaries.

I appreciate your patience as we learn from this experience and use it to improve and build upon our established ongoing Consultation with the Tribes in Wisconsin through WTCAC.

Sincerely,



PATRICIA S. LEAVENWORTH
State Conservationist

Enclosure

cc:

Jerry Thompson, Program Manager, WTCAC, Prairie Farm, WI
Thomas Christensen, Central-Regional Conservationist, NRCS, Washington, DC
Eric Allness, Acting ASTC for Environmental Improvement Program, NRCS, Madison, WI
Matt Otto, EQIP Coordinator, NRCS, Madison, WI
Chris Borden, Resource Conservationist, NRCS, Medford, WI



United States
Department of
Agriculture

Farm and Foreign
Agricultural
Services

Farm
Service
Agency

Columbia County FSA Office
2912 Red Fox Run
Portage, WI 53901
Phone: 608-742-5361
Fax: 608-742-0194

Farm Service Agency (FSA) REPORT TO WTCAC – August 9, 2012

By Susan Hunter, (608) 742-5361 ext 104, susan.hunter@wi.usda.gov

CRP Acres – Released for Emergency Haying & Grazing: CRP contract holders in most WI Counties with eligible grassland practices can apply to hay or graze their eligible CRP fields under emergency or managed haying/grazing provisions with prior approval from the local FSA office. (See attached fact sheet).

Emergency Loans Available due to Drought: All producers who suffered crop losses due to drought in counties that received emergency designations are eligible to apply for low interest (2.25%) emergency loans to cover their crop losses. These loans are only available to those who are unable to get loans through local lenders. Calculations will be made after harvest or if crop insurance records show final production records. (See attached fact sheet)

Disaster Loss Documentation: In the event that any crop or livestock disaster loss programs that expired September 30, 2011 are extended or approved for 2012, producers need to gather verifiable or reliable information to document the losses (See attached fact sheet).

Farm Loans - August Interest Rate: Producers and landowners are eligible for low fixed-interest operating and ownership loans through FSA. These loans are available to those that are unable to obtain loans with their local lenders. Interest rates in effect the month the loan is approved or disbursed remain in effect for the life of the loan. Loan funds are limited and there is currently a waiting list for loans to be funded.

- 1 year annual and 7-year operating loans – 1.25%
- 40 year ownership loans – 3.00%

Farm Bill: Doesn't sound like the 2008 Farm Bill will be extended another year. House passed legislation to give some relief to beef and other producers, but not likely to make it through the Senate. Keep watch for details as the debates continue.

Extended Crop Reporting Deadline: Due to recent changes, producers can late-file their 2012 crop acreages or 2013 fall seeded crops to FSA without any late-filing fees through July 1st, 2013.

County Committee Elections: The deadline to file a nomination for the local County Committee election ended August 1st. Elections in each county will take place this November/December. FSA offices will accept interest at any time from any woman or minority producer who would like to serve as a County Committee Advisor. Not likely that Committee Advisors will be given voting rights.

Compensation for Women and Hispanic Farmers – Claims of Past Discrimination: FSA will be doing outreach to women and Hispanic farmers who feel they have been discriminated in the past by USDA for their farm loans. (See attached fact sheet)



FACT SHEET

UNITED STATES DEPARTMENT OF AGRICULTURE

July 2012

Emergency Haying and Grazing of Conservation Reserve Program Acres for 2012

Overview

USDA Farm Service Agency's (FSA) Conservation Reserve Program (CRP) is a voluntary program available to agricultural producers to help them safeguard environmentally sensitive land. Producers enrolled in CRP establish long-term, resource-conserving covers to improve the quality of water, control soil erosion, and enhance wildlife habitat. In return, FSA provides participants with rental payments and cost-share assistance. Contract duration is between 10 and 15 years.

The Food Security Act of 1985, as amended, authorized CRP. The program is also governed by regulations published in 7 CFR Part 1410. The program is implemented by FSA on behalf of USDA's Commodity Credit Corporation.

Haying and Grazing

Haying and grazing of CRP acreage is authorized under certain conditions to improve the quality and performance of the CRP cover or to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorization: managed and emergency.

Primary Nesting Season

Generally, CRP acreage may not be hayed or grazed during the Primary Nesting Season for certain wildlife established by state FSA committees in consultation with USDA's Natural Resources Conservation Service (NRCS) State Technical Committee.

Emergency Haying and Grazing

Emergency haying and grazing of CRP acreage may be authorized to provide relief to livestock producers in areas affected by a severe drought or similar natural disaster.

Emergency authorization is provided by either a national FSA office authorization or by a state FSA committee determination utilizing the U.S. Drought Monitor.

National FSA Authorization

County eligibility is based on a county FSA committee request documenting a 40 percent or greater loss in normal hay and pasture production and either:

- for drought conditions, precipitation levels at an average of 40 percent or greater loss of normal precipitation for the 4 most recent months plus the days in the current month before the date of request;

or

- for excessive moisture conditions, precipitation levels at an average of 140 percent or greater increase in normal precipitation during the 4 most recent consecutive months plus the days in the current month before the date of request.

Emergency haying or grazing is limited to the acreage physically located within the boundary of the eligible county or portion of a county. Under this authority, acreage will only be authorized for a specified time and may end earlier than announced if conditions improve.

State FSA Committee Determination

For 2012, a county is authorized for emergency haying and grazing outside the Primary Nesting Season if the county is designated as level "D0-Abnormally Dry", as of July 19, 2012 or later, according to the U.S. Drought Monitor. The U.S. Drought Monitor is available online at: <http://www.drought.unl.edu/dm/monitor.html>

Under this special determination, emergency **haying** is authorized to August 31, 2012. Emergency **grazing** is authorized until September 30, 2012.

Eligible Acreage

Acreage eligible for managed or emergency haying and grazing includes acreage devoted to the following practices: CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C and CP38 in certain States.

Ineligible Acreage

Acreage ineligible for managed or emergency haying and grazing includes acreage devoted to

- Useful life easements;
- Land within 120 feet of a stream or other permanent water body;
- The following practices: CP3, CP3A, CP5A, CP8A, CP9, CP11, CP12, CP15A, CP15B, CP17A, CP21, CP22, CP23, CP24, CP25, CP27, CP28, CP29, CP30, CP31, CP32, CP33, CP35A-I, CP36, CP37, CP38 in certain States, CP39, CP40, CP41 and CP42.

Modified Conservation Plan

Before CRP acreage is declared eligible for haying or grazing, a modified conservation plan developed by NRCS or a technical service provider must be obtained. The modified conservation plan must be site specific, include the authorized duration, and reflect local wildlife needs and concerns. The primary purpose must be to maintain vegetative cover, minimize soil erosion, and protect water quality and wildlife habitat quality.

File Request Before Starting

CRP participants requesting emergency or managed haying and grazing must file a request with their county FSA office indicating the acreage to be hayed or grazed before the activity begins.

Required Payment Reduction

The CRP-authorizing legislation requires a payment reduction to be assessed. Generally, CRP participants are assessed a haying or grazing payment reduction of 25 percent. For 2012 only, the 25 percent haying and grazing payment reduction has been reduced to 10 percent.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay).

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Emergency Loan Program

Overview

USDA's Farm Service Agency (FSA) provides emergency loans to help producers recover from production and physical losses due to drought, flooding, other natural disasters or quarantine.

Loan Uses

Emergency loan funds may be used to:

- Restore or replace essential property;
- Pay all or part of production costs associated with the disaster year;
- Pay essential family living expenses;
- Reorganize the farming operation and;
- Refinance certain debts.

Eligibility

Emergency loans may be made to farmers and ranchers who:

- Own or operate land located in a county declared by the President or designated by the Secretary of Agriculture as a primary disaster area or quarantine area. All

counties contiguous to the declared, designated, or quarantined primary counties also are eligible for emergency loans. A disaster designation by the FSA administrator authorizes emergency loan assistance for physical losses only in the designated and contiguous counties;

- Are established family farm operators and have sufficient farming or ranching experience;
- Are citizens or permanent residents of the United States;
- Have suffered at least a 30 percent loss in crop production or a physical loss to livestock, livestock products, real estate or chattel property;
- Have an acceptable credit history;
- Are unable to receive credit from commercial sources;
- Can provide collateral to secure the loan and;
- Have repayment ability.

Loan Requirements

FSA loan requirements are different from those of other lenders. Some of the more significant differences are the following:

- Borrowers must keep acceptable farm records;
- Borrowers must operate in accordance with a farm plan they develop and agree to with local FSA staff and;
- Borrowers may be required to participate in a financial management training program and obtain crop insurance.

Collateral is Required

All emergency loans must be fully collateralized. The specific type of collateral may vary depending on the loan purpose, repayment ability and the individual circumstances of the applicant. If applicants cannot provide adequate collateral, their repayment ability may be considered as collateral to secure the loan. A first lien is required on property or products acquired, produced or refinanced with loan funds.

Loan Limit

Producers can borrow up to 100 percent of actual production or physical losses, to a maximum amount of \$500,000.

Loan Terms

Loans for crop, livestock, and non-real estate losses are normally repaid within one to seven years, depending on the loan purpose, repayment ability and collateral available as loan security. In special circumstances, terms of up to 20 years may be authorized. Loans for physical losses to real estate are normally repaid within 30 years. In certain circumstances, repayment may be made over a maximum of 40 years.

Interest Rate

The current annual interest rate for emergency loans is 2.25 percent.

Application Deadline

Applications for emergency loans must be received within eight months of the county's disaster or quarantine designation date.

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Disaster Assistance Program Loss Documentation

Wisconsin Farm Service Agency

Adverse weather conditions across the state and the ending of the disaster assistance programs in the 2008 Farm Bill has created numerous questions for producers potentially facing crop or livestock losses.

The USDA Wisconsin Farm Service Agency encourages producers with current or pending losses due to adverse weather conditions, natural disasters, disease or other conditions to document losses following the guidelines provided. Properly documenting losses may provide producers with the opportunity to participate in any new or continuing disaster assistance programs that may be authorized in the 2012 Farm Bill.

Producers need to also report all cropland and pastureland, even if they are not participating in other FSA programs as previous disaster assistance programs required producers to file crop reports to qualify.



Crop Loss Documentation

Producers who suffer crop losses due to natural disasters may need to provide verifiable types of records, if they exist, or reliable records.

Verifiable types of records may include:

- sale receipts from buyers;
- invoices from custom harvesting;
- truck or warehouse scale tickets;
- actual measurements or appraisals by FSA, RMA or reinsured companies, LA's, Feed Company representatives, or FSA State Committee approved consultants; or
- similar records that represent actual and specific production data.

Reliable types of records may include:

- ledgers of commodity sales volume or income;
- income statements of deposits;
- register tapes;
- records to verify production input costs;
- producer diaries, ledgers, or receipts;
- pick records;
- other USDA program data (FSA loans, etc).

If the crop was sold or disposed of through commercial

channels, acceptable production records include:

- commercial receipts;
- settlement sheets;
- ledger sheets or load summaries from warehouse, process, or buyer; or
- appraisal information.

If the crop was farm-stored, sold, fed to livestock, or disposed of through noncommercial channels, acceptable production records include:

- truck scale tickets;
- appraisal information;
- contemporaneous reliable diaries; or
- other documentary evidence, such as contemporaneous reliable measurements.

Livestock Loss Documentation

Producers who suffer livestock losses due to natural disasters, adverse weather conditions need to provide verifiable or reliable records. Verifiable documentation may include:

- rendering truck receipts or certificates;
- FEMA records;
- National Guard records;
- veterinary records;
- records assembled for tax purposes;
- private insurance documents;
- written contracts;
- bank or other loan documents;
- purchase records;
- production records; or
- property tax records.

Reliable documentation for livestock losses may include:

- contemporaneous producer records existing at the time of the event;
- pictures with a date;
- brand inspection records;
- dairy herd improvement records; or
- other similar reliable documents.

Livestock Stored, Harvested or Purchased Feed Loss Documentation

Producers suffering losses of stored harvested feed or purchased feed for livestock may need have the original receipts of purchase that includes:

- date of feed purchase;
- name, address, and telephone number of feed vendor;

- type and quantity of feed purchased;
- cost of feed purchased;
- and signature of feed vendor if no license to conduct this type of transaction

Honeybee and Feed Loss Documentation

Documentation for honeybee purchased or harvested feed losses may include:

- original receipts for purchased feed;
- weight tickets;
- truck scale tickets;
- contemporaneous diaries verifying the crop was stored with intent to feed;
- custom harvest documents clearly identifying the amount of feed produced.

Documentation for honeybee losses may include:

- a report of acreage (colonies reported);
- loan records;
- private insurance documents;
- property tax records;
- sales and purchase receipts;
- State colony registration documentation (not in Wisconsin);
- chattel inspections;
- proof of good management practices, including adequate feed for colonies, preventative treatment for varroa mites and disease, and other proper maintenance practices;
- any additional documentation the producer may have, including State health certifications for varroa mite or noseema levels reflecting the level of mites or disease.

Farm-Raised Fish and Feed Loss Documentation

Documentation for purchased and harvested feed losses or physical losses for farm-raised fish may include:

- acreage reports (surface acres of water);
- loan records;
- private insurance documents;
- property tax records;
- sales and purchase receipts;
- chattel inspections;
- sales receipts.

Orchardists and Nursery Trees, Bushes and Vines Loss Documentation

Orchardists and nursery tree growers with damaged or lost trees, bushes, or vines due to natural disasters should keep documentation of the loss or damage such as the following:

- receipts for original purchase of the trees, bushes, or

vines;

- documentation of labor and equipment used to plant or remove the lost trees, bushes, or vines;
- chemical, fertilizer, or other related receipts to substantiate the existence of the trees, bushes, or vines;
- Risk Management Agency (RMA) appraisal worksheet;
- certifications of tree, bush, or vine losses by third parties, such as consultants, Extension Service, universities, or Government personnel, but only if there is no other documentation available.

Additional Information

As always, producers are encouraged to report all cropland and pastureland in addition to maintaining documentation of losses. Producers who do not market crops nor have appraisals performed should be keeping contemporaneous records of production. Changes may occur to the reporting and documentation with the passage of the new Farm Bill, but by reporting crops and maintaining quality documentation, producers may be able to meet the proper reporting and documentation requirements for any new disaster assistance programs implemented.

Producers are also encouraged to report crop conditions to their county FSA office so that the information may be used to support the potential request for disaster declarations.

For more information or questions about disaster assistance programs, contact the local USDA Service Center or visit www.fsa.usda.gov.



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WTCAC Meeting
August 9, 2012
Red Cliff

Year to date program utilization

	<u>Allocation</u>	<u>Obligated</u>	<u>Projects</u>
Direct CF Loan	\$21,373,563	\$14,914,000	5
CF Grant	\$ 246,300	\$ 245,975	7
CF EII Funds	\$ 105,300	\$ 105,300	3
Guaranteed CF	\$ 5,500,000	<u>\$ 5,500,000</u>	2
TOTAL CF		\$20,765,275	

Tribal projects – 1 grant (Tribal college grant not included as not obligated yet)
Grants were used for community equipment (brush truck, mowers, county truck/w salt hopper, plow truck, squad car), daycare initiative (playground equipment), library equipment and furnishings, generator and radios for fire department, renovation of community center, health care equipment.
Future – limit grants to initiatives (Know your farmer, know your food; library, childcare, healthcare (electronic records), fire protection and public safety).

Several large CF combination direct and guaranteed loans for assisted living facilities.

No current applications from Tribes.

	<u>Allocation</u>	<u>Obligated</u>	<u>Projects</u>
WW Loan	\$17,066,000	\$21,868,850	19
WW Grant	\$ 7,340,000	<u>\$ 6,871,420</u>	15
Total		\$28,740,270	

No tribal projects. 2 grants were search grants limited to \$25,000 which can be used for planning purposes. There are 306-C tribal set aside funds for this program.

No current applications from Tribes

SUTA provisions may provide some additional opportunities for Tribes

Business Programs	<u>Funded</u>	<u>Projects</u>
IRP	\$ 380,000	1
REDLG	\$ 1,000,000	1
VAPG (2011 funding)	\$ 6,852,565	25
RBEG	\$ 651,769	7 (3 Tribal)
Energy	\$ 580,448	15
Guaranteed B&I	<u>\$21,729,280</u>	9
TOTALS	\$31,194,062	

RBOG program application period just closed.

VAPG NOFA is not out yet – Rumor are there is an Administrative Notice in clearance that further defines eligibility criteria which may help Tribes to be eligible.

FAC Meeting (Food and Agricultural Council Meeting) for Tribal Chairpersons or their designee – to be held in Stevens Point on Tuesday September 11, 2012 – exact location TBD. The meeting starts at 11:00 and typically runs 1- 2 hours. This is a management meeting of the heads of the USDA agencies. Teleconference will be available. Please let me know prior to the meeting if Tribal Chairs will be calling in.

What can WTCAC do to help increase Tribal utilization of programs:

- 1) Spread the word about different programs within community. If there are barriers other than regulatory changes – contact me so we can discuss.
- 2) Encourage staff to contact me to be directed to specific program specialist if they are interested in a particular program.
- 3) Business programs and highly subscribed. Put thought into application and structure to obtain highest point scoring.

Section (as identified in House draft)	Program	House Changes from Current Law	Senate Changes from Current Law	Major Differences
2101	Conservation Stewardship Program	<ul style="list-style-type: none"> • Establishes implementation years 2013 through 2017 • Limits eligible land to that in production for at least 4 of the 6 years preceding Oct 1, 2012 • Requires contract offers to meet stewardship threshold for at least 2 priority resource concerns and meet or exceed 1 additional by the end of contract • Allows enrollment of lands that are protected by an agricultural land easement under ACEP • Allows contract to be renewed once if 2 additional priority resource concerns will be addressed • Requires that at least 5 priority resource concerns be identified for each area or watershed • Requires prorating of payments to equal annual payments 	Same	<ul style="list-style-type: none"> • Special enrollment authority for CRP in final year of contract • Emphasizes conservation activities to be implemented across the agricultural operation • Authorizes enrollment of only 9,000,000 acres (Senate authorized 10,348,000 acres) • Special crop rotation includes improving existing rotation [check]
2201	Environmental Quality Incentives	Adds wildlife habitat as a distinct purpose of the program	Same	None

	Program	Removes definitions related to organic production	Consolidates definitions related to organic production	Senate version still has definition related to National Organic Program
2202	Environmental Quality Incentives Program	Removes definitions related to organic production		
2203	Environmental Quality Incentives Program	<ul style="list-style-type: none"> Eliminates requirement that contract must remain in place for a minimum of 1 year after last practice implemented, but keeps requirement that the contract term is not to exceed 10 years Consolidates elements of Wildlife Habitat Incentives Program (WHIP) Provides flexibility for repayment of advance payment if not expended within 90 days and adds veterans as eligible for such advances 	Same	<ul style="list-style-type: none"> Changes person or entity to individual or entity – should be person or legal entity Does not adopt Senate changes regarding special rule for income foregone (Senate modifies the special rule for foregone income to include soil health and water quality/quantity improvement) Advance payments available for up to 50% instead of just 30% as in Senate Funds targeted for wildlife set at 5% rather than not less than 5% as in Senate
2204	Environmental Quality Incentives Program	Replaces reference to environmental benefits with conservation benefits	Same	None
2205	Environmental Quality Incentives Program	Replaces "farm, ranch, or forest" with "enrolled"	Same	None
2206	Environmental Quality Incentives Program	<ul style="list-style-type: none"> Payment limitation established at \$450,000 and also removes waiver authority Replaces rolling 6-year 	<ul style="list-style-type: none"> Payment limitation established at \$300,000 with ability to waive up to \$450,000 	<ul style="list-style-type: none"> House has higher payment limitation and removal of waiver authority

		<p>payment limitation with payment limitation for FY 2013-FY 2017</p>	<ul style="list-style-type: none"> • Replaces rolling 6-year payment limitation with payment limitation for FY 2013-FY 2017 	
2207	<p>Environmental Quality Incentives Program</p>	<p>Requires Conservation Innovation Grants (CIG) reporting no later than Dec 31, 2013 and every 2 years thereafter</p>	<p>Requires Conservation Innovation Grants (CIG) reporting no later than Dec 31, 2013 and every 2 years thereafter</p>	<p>House removes special funding for air quality projects House adds projects that facilitate on-farm conservation research and demonstration projects</p>
2208	<p>Environmental Quality Incentives Program</p>	<p>Amendments are effective October 1, 2012, and do not affect existing contracts</p>	<p>Same</p>	<p>None</p>
2301	<p>Agricultural Conservation Easement Program</p>	<ul style="list-style-type: none"> • Consolidates the Farm and Ranch Land Protection Program (FRPP), Grassland Reserve Program easement options, and Wetlands Reserve Program (WRP) into one program • <u>Agricultural Land Easement</u> Component: <ul style="list-style-type: none"> o Limits Federal share to not exceed 50 percent of the fair market value of the easement, while requiring the non-Federal share to be equivalent to the Federal share, with the entity contributing at least 50 percent of the Federal share with its own cash resources. o Includes an option to pay up 	<ul style="list-style-type: none"> • Same 	<ul style="list-style-type: none"> • Does not have agricultural viability language added during Senate Committee mark • Requires 50 percent contribution by State or other entity towards easement acquisition for wetlands easement on closed basin lake • House version does not transfer enrollment of former easement programs into ACEP while Elements of FRPP and GRP become the agricultural land easement component of ACEP, and elements of WRP become the wetland easement component of ACEP • Both House and Senate require 40% of annual funding to go towards agricultural land easements but House version requires 50% of funds for agricultural land easements in FY 2017. • House version simplifies provision regarding easement delegation of wetland easements, specifying that conservation organizations can only be delegated easement management responsibilities

		<p>to 75 percent for grasslands of special environmental significance through agricultural land protection easements</p> <ul style="list-style-type: none"> ○ Maintains certification process for eligible entities, with same ability to have longer-term agreements, etc. ○ Prohibits bidding down ○ Requires easements to be subject to an easement conservation plan <ul style="list-style-type: none"> ● <u>Wetland Easement Component:</u> ○ Maintains most elements of WRP eligibility and administrative framework ○ Authorizes a waiver process to allow enrollment of CRP lands established to trees ○ Allows ranking criteria to consider extent to which landowner or other non-Federal entity leverages Federal investment ○ Reduces ownership requirement prior to enrollment from 7 years to 2 years ○ Keeps WRP compensation framework for wetland easements 		
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		<ul style="list-style-type: none"> • <u>Joint Provisions:</u> ○ Specifies the following lands as ineligible— <ul style="list-style-type: none"> ▪ Federal lands except lands held in trust for Indian tribes ▪ State-owned lands, including lands owned by agencies or subdivisions of the State, or unit of local government ▪ Land that already receives similar protection that would be achieved by enrollment ▪ Lands that have on-site or off-site conditions that would undermine meeting purposes of the program ○ Requires at least 40 percent of ACEP funding to be for agricultural land protection easement ○ Authorizes easement subordination, modification, exchange, termination of easements under certain limited criteria ○ Lands enrolled in FRPP, GRP, and WRP are considered enrolled in ACEP 	
		<ul style="list-style-type: none"> • Establishes a program to implement activities through partnership agreements and contracts with producers. • Consolidates attributes of 	Regional Conservation Partnership Program
		Same	2401
		<ul style="list-style-type: none"> • House requires 6 percent of the funds and acres made available for a covered program be reserved for each FY 2013 through 2017 to supplement baseline funding for the program while Senate requires 8 percent of such funds 	

<p>current partner programs, including the Cooperative Conservation Partnership Initiative, the Agricultural Water Enhancement Program, and the Chesapeake Bay Watershed Initiative.</p> <ul style="list-style-type: none"> • No established partnership share required, just significant contribution as determined by Secretary. • Limits length of Partnership Agreements to a period not to exceed 5 years with possible 1 time extension of up to 12 months • Requires partner to define scope of a project, conduct outreach, act on behalf of a producer (if requested), leverage Federal financial and technical assistance with additional funds, conduct an assessment of the project and report on results of the project • Requires competitive process to select applications for partnership agreements • Requires criteria used in competitive process to be made public 	<ul style="list-style-type: none"> • House requires 50 percent of funds to be allocated to National projects, 25 percent to State projects, and 25 percent to critical conservation areas while Senate requires allocation of 40 percent to National projects, 25 percent to State projects, and 35 percent to critical conservation areas • House limits designation of critical conservation areas to 8 geographic areas while Senate limits designation of critical conservation areas to 6 geographic areas • Includes as eligible partners an entity that is a water district, irrigation district, rural water district or association, or other organization with specific water delivery authority to producers on agricultural land • House has no provision for alternative funding arrangements while Senate has provision for a pooling arrangement with State, subdivisions, and Tribes and limits the number of pooling projects to 10 agreements) • House authorizes the use of the Watershed Operations and Flood Prevention authorities (except for Watershed Rehabilitation) in implementation of projects in critical conservation area
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		<ul style="list-style-type: none"> Requires public disclosure of funded projects Requires report to Congress on status of funded projects no later than December 31, 2013, and every two years thereafter Requires administration of agreements in critical conservation areas to be consistent with program terms Requires activities in critical conservation areas be consistent with other Federal and State programs and water quality strategies 		
2501	Conservation of Private Grazing	Extends program and maintains \$60 million/year authorized funding	Extends program and reduces authorized funding to \$30 million/year	House provides twice the funding per year
2502	Grassroots Source Water Protection Program	Authorizes \$5 million of CCC funds to be available until expended	Authorizes \$15 million/year to be appropriated in FY 2013-2017	House provides one-time mandatory funding of \$5 million while Senate provides yearly authorization of appropriations at \$15 million/year
2503	Voluntary Public Access	Requires reporting on program effectiveness within 2 years of enactment	Same	House provides \$30 million in CCC funds for FY 2013-17 while Senate provides \$40 million for FY 2013-17
2504	ACES	Extends ACES authority and allows Title XII funding for program delivery, with exception of funds made available for the Conservation Reserve Program	Same	None

2505	Small Watersheds	Provides additional funding for Watershed Rehabilitation Program	Same	House provides \$250 million CCC funds to be made available in FY 2013, to remain available until expended and authorizes appropriations in the amount of \$85 million for each of FY2013-FY2017 while Senate version only authorizes appropriations in the amount of \$85 million for each of FY 2013 through 2017.
2506 (House)	Agricultural Management Assistance	<ul style="list-style-type: none"> Removes soil erosion control from authorized funding uses Maintains \$10 million/year CCC funding level Reduces NRCS share from 50% to 30% Maintains 10 % share for AMS Increases from 40% to 60% RMA's share 	<ul style="list-style-type: none"> Removes specific reference to 16 States Authorizes funding at \$23 million/year of CCC funds NRCS share of funds reduced from 50% to 24% 	Senate has overall higher funding but possibly nationwide versus 16 states. Senate reorganizes provision to a greater extent.
2506 (Senate)	Desert Terminal Lakes	No provision addressing Desert Terminal Lakes	<ul style="list-style-type: none"> Authorizes \$25 million to be appropriated and \$150 million in CCC funds to be transferred to Bureau of Reclamation 	Senate version addresses Desert Terminal Lakes authority under Title II of the Farm Security and Rural Investment Act while House version does not
2601	Funding	<ul style="list-style-type: none"> ACEP funding is \$450 million in FY 2013; \$475 million in FY 2014; \$500 million in FY 2015; \$525 million in FY 2016; and \$266 million in FY 2017. CSP funding is for 9 million acres EQIP funding is \$1.750 billion for each of FY 2013 through 	<ul style="list-style-type: none"> ACEP funding is \$223 million in FY 2013; \$702 million in FY 2014; \$500 million in FY 2015; \$ 525 million in FY 2016; and \$250 million in FY 2017 CSP funding is for 10,348,000 acres 	House provides greater funding for ACEP and EQIP but lower funding for CSP

		<p>2017</p> <ul style="list-style-type: none"> Funds remain available until expended but unobligated balances offset subsequent fiscal year allocation 	<ul style="list-style-type: none"> EQIP funding is \$1.455 billion in FY 2013; and \$1.645 billion in FY 2014; and \$1.650 billion in each of FY 2015 through FY 2017. Funds remain available until expended but unobligated balances offset subsequent fiscal year allocation 	
2602	Technical Assistance	Funds made available for a program shall be used to provide technical assistance and an annual report shall be provided to Congressional committees detailing amount and use of such technical assistance funds	Same	None
2603	Regional Equity	Replaces required \$15 million minimum allocation to each states for a 0.6 percent minimum allocation to each state	Same	None
2604	Reservation of funds for certain producers	Extends special funding pools under EQIP and CSP for beginning and socially disadvantaged producers but adds priority for such producers if they are veterans	Same	None
2605	Annual report on program	Retains requirement to report certain high payments or	Same	None

2606	enrollment	payment limitation waivers but updates programs to which it applies to correspond with new program authorities	Requires a new review of conservation practice standards related to the completeness and relevance of the standards to local agricultural, forestry, and natural resource needs, including specialty crops, native and managed pollinators, bioenergy crop production, forestry, and such other needs as are determined by the Secretary, etc.	No new review required.	House requires new review of certain conservation practice standards
2607	Administrative Requirements for all conservation programs	Requires reduced administrative burden associated with conservation program administration and specifies that payments made under Title XII do not affect availability of other payments	Same	Same	Senate also has a subsection requiring streamlining in the application process in particular
2608	State Technical Committee	Requires review and update as necessary the standards and standard operating procedures of the State Technical Committee	Same	Same	None
2609	Rulemaking Authority	Incorporates as permanent law regulatory flexibility to publish regulations without regard to Paperwork Reduction Act and requires interim rulemaking	Same	Same	None

2701	Comprehensive Conservation Enhancement Program	Repealed	Same	None
2702	Emergency forestry conservation reserve program	Repealed with transition of existing contracts	Same	None
2703	Wetlands Reserve Program	Repeals WRP and authorizes use of ACEP funds for prior year contracts	Repeals WRP, authorizes use of prior year WRP funds, including for provision of technical assistance, provided modification does not increase payment, and authorizes use of ACEP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law for existing obligations. Nor does the House version authorize prior year funds for technical assistance. Senate specifies prior year funding to be used until exhausted for any of the prior year contracts as long payment amount not increased through modification. Senate authorizes prior year funds for technical assistance.
2704	Farm and Ranch and Protection Program	Repeals FRPP/Farmland Viability and authorizes use of ACEP funds for prior year contracts	Repeals FRPP/Farmland Viability, authorizes use of prior year FRPP funds, including for technical assistance, and authorizes use of ACEP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2705	Grassland Reserve Program	Repeals GRP and authorizes use of ACEP funds for prior year contracts	Repeals GRP, authorizes use of prior year funds, including for technical assistance, provided	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies

				modification does not increase payment, and authorizes use of ACEP funds for prior year contracts	that prior year funding to be used until exhausted for any of the prior year contracts as long payment amount not increased through modification and the use of prior year funds for technical assistance.
2706	Agricultural Water Enhancement Program	Repeals AWEP and authorizes RCCP funds for prior year contracts	Repeals FRPP/Farmland Viability, authorizes use of prior year FRPP funds, including for technical assistance, and authorizes use of ACEP funds for prior year contracts	Repeals FRPP/Farmland Viability, authorizes use of prior year FRPP funds, including for technical assistance, and authorizes use of ACEP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2707	Wildlife Habitat Incentives Program	Repeals WHIP and authorizes EQIP funds for prior year contracts	Repeals WHIP, authorizes use of prior year WHIP funds, including for technical assistance, and authorizes use of EQIP funds for prior year contracts	Repeals WHIP, authorizes use of prior year WHIP funds, including for technical assistance, and authorizes use of EQIP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2708	Great Lakes basin program	Repeals Great Lakes basin program	Same	Same	None
2709	Chesapeake Bay watershed program	Repeals CBWI and authorizes RCPP funds for prior year contracts	Repeals CBWI, authorizes use of prior year CBWI funds, including for technical assistance, and authorizes use of RCPP funds for prior year contracts	Repeals CBWI, authorizes use of prior year CBWI funds, including for technical assistance, and authorizes use of RCPP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2710	Cooperative Conservation	Repeals CCPI and authorizes RCPP funds for prior year	Repeals CCPI, authorizes use of prior	Repeals CCPI, authorizes use of prior	House does not specify authority to use prior year funds though such funds may be available until

Wisconsin Tribal Technical Service Provider Pilot Project

USDA Natural Resources Conservation Service College of Menominee Nation, Keshena, Wisconsin

This project was established through a grant from the USDA Natural Resources Conservation Service to identify and train tribal members who are interested in becoming certified Technical Service Providers (TSP) for NRCS conservation programs. The College of Menominee Nation (CMN) entered into an 18-month agreement with NRCS in Wisconsin to establish a cadre of certified TSPs who will be able to carry out selected conservation practices funded through NRCS conservation programs, such as the Environmental Quality Incentives Program.

As of August, 2012, CMN is on track in completing the 18-month plan of work. Thirteen TSP candidates from five tribes have attended the required Conservation Planning Training. Two sessions were conducted, one on Feb. 22-24 at Keshena, and one on March 20-22 at Lac Courte Oreilles on the western side of Wisconsin. The training involved 2 days of classroom and 1 day in the field.

The next steps are for TSP candidates to prepare the sample plan required as part of the TSP certification, and to register in the TechReg website. In order to facilitate and encourage candidates to move ahead, CMN hosted a webinar for candidates to work through the sample plan. CMN had never hosted a statewide webinar before and have successfully added this new capability at the college.

The webinar was held July 26 with six participants and hosted by CMN. CMN recorded the webinar and posted it on their website for others to view and for reference.

http://www.menominee.edu/webinars/2012-07-26_NewMeeting.wmv

An additional webinar will be held for those who could not participate in the July 26 session. For more information, contact:

Renae Anderson, Tribal TSP Agreement Manager
Public Affairs and Outreach
USDA Natural Resources Conservation Service Madison, Wisconsin
Renae.anderson@wi.usda.gov

Aug. 8, 2012



Participants at the Tribal TSP Training session in Keshena in the Menominee Forest. NRCS State Biologist Steve Bergjens (in the blue jacket) and NRCS Forester Greg Rebman (far right) conducted the training for the eight participants attending this session



Greg Rebman (center), WI NRCS Forester, talking with two tribal foresters during the field portion of the conservation planning training in Keshena at the Menominee College.



U.S. Department of Agriculture
Natural Resources Conservation Service

United States Department of Agriculture
Natural Resources Conservation Service

Wisconsin



Chris Caldwell, forester from Menominee, talking about tribal forest resources, issues and practices at the training session.

Current Issues of concern regarding practices and practice components for the 2013 Payment/Practice Schedule for EQIP.

- All three states, MI, MN and WI are concerned that issues specific to tribal needs are addressed in the 2013 Payment/Practice Schedule.
- Action will need to be taken over the next few weeks to assure that tribal concerns are addressed. Below is a summary of the concerns identified by WTCAC.
- We should be able to get historic cost data from the NRCS State Office. Matt Otto will be back on August 13th and Lori Van Huile has offered to help run things down. We may need to call on WTCAC members for data.

Non engineering practices (overall responsibility for non-engineering practices lies with June Moss, NRCS Agricultural Agronomist in Michigan). It is difficult to assess needs for some of these practices i.e., 395, 643, 644 and 645 because National Scenarios have not been released for these practices.

1. 315 Herbaceous Weed Control
 - A. A scenario should be developed for control of aquatic invasives that includes hand pulling narrow leafed cattail.
 - B. We need to think about creating additional scenarios.
 - C. We will need a breakdown of activities and costs on this.
2. 327 Conservation Cover
 - A. This may be the standard to use for Wild Rice Seeding.
 - B. We will need a breakdown of activities and costs on this.
 - C. June Moss from MI sent us their cost data for when they cost shared the practice.
3. 395 Stream Habitat Improvement and Management
 - A. There is some indication that this might be the practice to use for beaver dam and other dam removal.
4. 396 Aquatic Organism Passage
 - A. No components are currently available that relate to dam removal or beaver dam removal.
 - B. Components are available for bottomless culverts with footings.
5. 643 Restoration and Management of Declining Habitat
 - A. Practice definition and purpose for 643 specifically mentions aquatic ecosystems and fish habitat.
 - B. Our sole scenario in 2012 was Fish Cribs.
 - C. This practice may be a good fit for the Tree Drop scenarios which were part of 644 in the 2012 Payment Schedule.

6. 644 Wetland Wildlife Habitat Management
 - A. There are no component available related to actual purchase of plant materials, this suggests that they anticipate things like wild rice seedings be handled by 327 conservation cover.
 - B. Component ID 1449 (wood duck nesting box) is an available component
 - C. We need to determine whether a Loon Nesting Platform component would need to be specifically developed or could we just simply create a scenario using a appropriate amount of labor and dimensional lumber.

7. 645 Upland Wildlife Habitat Management
 - A. Bat Box (Component ID 246) and Bird Box (Component ID 251) both available under 645.

8. 798 Seasonal High Tunnel for Crops
 - A. Agronomy (Terry Kelly)
 - B. We need to determine if high tunnel constructed with traditional materials will meet the standard for either Hoop House, quonset style, base package (Component ID 1277) or Hoop House, gothic style, base package (Component ID 1278). Anecdotally traditional materials will likely more expensive.
 - C. Red Cliff's traditional style example will be publicly highlighted in the near future.

Engineering practices (overall responsibility for non-engineering practices lies with Scott Mueller, NRCS Assistant State Engineer in Wisconsin)

1. 326 Clearing and Snagging
 - A. This may be where Beaver Dam Removal scenario belongs, Note no reference to use of explosives.

2. 500 Obstruction Removal
 - A. It does not appear that this practice will serve our need for Beaver dam removal. All national scenario language states "This is not intended for the removal of obstructions from aquatic environments".
 - B. However there are National Scenarios under this practice that do refer to 'drilling, blasting and demolition' so there may be some helpful examples for us to use in whichever practice is appropriate for Beaver dam and other dam removal scenarios.

3. 560 Access Road
 - A. A draft Lake States scenario spreadsheet is currently available.
 - B. It is apparent that Heavy Use Area Protection is to be used to meet the needs served by the "Paved Surface – Water Access Point" Scenario we had in the 2012 Payment Schedule. So we should take a close look at the 561 scenario to assure that it will meet this need.

4. 561 Heavy Use Area Protection
 - A. It is apparent that Heavy Use Area Protection is to be used to meet the needs served by the "Paved Surface – Water Access Point" Scenario we had in the 2012 Payment Schedule. So we should take a close look at the 561 scenario to assure that it will meet this need.
5. 578 Stream Crossing
 - A. There are questions to be worked out regarding how this practice is to be applied if aquatic organism passage is a resource concern.
 - B. It may be worth analyzing whether Wisconsin's use of "Weiser Panels" would be possible using the available components.

Aquaculture Pond Related Practices. Kent Wabrowetz is currently working with Todd Zelensky out of Michigan on 396 Aquaculture Pond. It is Kent's understanding that Todd will be coordinating with other teams to assure that scenarios are included for practices related to Aquaculture Pond, i.e., 382, 516, 521A, 533, 587, 620 and 642. Review of these scenarios will be important.

1. 382 Fence (Non Engineering)
 - A. It appears that the currently available components will meet the need for fencing an aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. Lake States draft is currently available.
2. 397 Aquaculture Pond (Engineering)
 - A. A draft National scenario spreadsheet is currently available. No Lake States draft is currently available.
3. 516 Pipeline (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. No Lake States draft is currently available.
4. 521A Pond Sealing or Lining, Flex. Membrane (Engineering)
 - A. A review of currently available components to meet the needs for an aquaculture pond.
 - B. No National Scenario or Lake States scenario drafts currently available.
5. 533 Pumping Plant (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. No Lake States draft is currently available.

6. 587 Structure for Water Control (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is available. No Lake States scenario drafts currently available.

7. 620 Underground Outlet
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. No Lake States draft is currently available.

8. 642 Water Well (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. No National Scenario or Lake States scenario drafts currently available.

**Environmental Quality Incentives Program FY 2013 Plan of Operations for
Wisconsin Tribal Conservation Advisory Council (WTCAC)**

The Environmental Quality Incentives Program (EQIP) offers financial assistance to agricultural producers to implement on-farm conservation practices. Eligible land is determined by the Natural Resources Conservation Service (NRCS) and is based on an identified resource concern. Eligible producers may apply for financial assistance on conservation practices that will address the identified resource concerns.

Eligible Practices and Payment Rates: See the FY13 Wisconsin NRCS List of Eligible Practices posted on the WI NRCS web site.

Application Period: Applications may be taken at any time. The sign-up period will be announced in the 1st quarter of FY13. All eligible applications received by the close of business on the last day of the sign-up period will be evaluated and ranked for FY 2013 funding consideration.

Tribes interested in applying may do so at their corresponding service center listed below.

Bad River and Red Cliff Bands of Lake Superior Chippewas

Ashland Service Center
315 Sanborn Avenue, Suite 100
Ashland, WI 54806

(phone) 715-682-9117 x115
(fax) 715-682-0320
gary.haughn@wi.usda.gov

Forest County Potawatomi Community, Lac du Flambeau Band of Lake Superior Chippewa and Sokaogon Chippewa Community

Rhineland Service Center
2187 North Stevens Street, Ste A
Rhineland, WI 54501

(phone) 715-362-5941
(fax) 715-363-9370
michael.stinebrink@wi.usda.gov

Lac Courte Oreilles Band of Lake Superior Chippewa

Ladysmith Service Center
P.O. Box 349, 1120 West Lake Ave.
Ladysmith, WI 54848

(phone) 715-532-7629
(fax) 715-532-9933
mike.koehler@wi.usda.gov

Menominee Indian Tribe and Stockbridge-Munsee Community

Shawano Service Center
603C Lakeland Road
Shawano, WI 54166

(phone) 715-524-8520 ext 113
(fax) 715-526-6121
sherrie.zenkreed@wi.usda.gov

Ho-Chunk Nation

Onalaska Service Center
1107 Riders Club Road
Onalaska, WI 54650

(phone) 608-782-0180
(fax) 608785-1739
greg.yakle@wi.usda.gov

St. Croix Chippewa

Spooner Service Center
800 N. Front Street, Room 102
Spooner, WI 54801

(phone) 715-635-8228
(fax) 715-635-3729
tom.fredrickson@wi.usda.gov

Oneida Tribe of Wisconsin

Oneida Nation Service Center
P.O. Box 365, N7332 Water Circle Place
Oneida, WI 54155

(phone) 920-869-4577
(fax) 920-869-1610
tony.bush@wi.usda.gov

Funding Pools: Only Wisconsin federally-recognized Tribes may submit applications to the WTCAC Fund Pool. The WTCAC Fund Pool is not land use specific, requiring only that the land is eligible.

In addition, Tribes may also apply to the County and Area Fund Pools. These applications will be placed in a fund pool based on the land use where the identified resource concern(s) will be treated. If the application contains multiple land uses, the application will be placed in the funding pool that covers the predominant cost of the application. Applicants may choose to apply in more than one funding pool however all practices under one application must not be dependent on practices in another application. Applications in the Beginning Farmer or Socially Disadvantaged funding pools are not land use specific.

There will be a total of eight different Area and County fund pools available to the Tribes. Tribes applying for funds under the **Farmstead, Forestland, Specialty Crops, Conservation Activity Plans (CAPS), Beginning Farmer, and Socially Disadvantaged Farmer Fund Pools** will be competing for funds within the respective Wisconsin NRCS area. Participants applying for funds under the **Cropland and Pasture** Fund Pools will be competing for funds at the county level. The area pools will use a uniform ranking system. The county pools will use their Local Working Group (LWG) ranking tool for cropland and pasture to determine funding. Below are the pools identified for the FY2013 EQIP sign-up:

Area Fund Pools	County Fund Pools
Farmstead	Cropland
Forestland	Pasture
Specialty Crops	
Beginning Farmer	
Socially Disadvantaged Farmer	
Conservation Activity Plans (CAPs)	

Ranking: Scoring of all eligible applications will be done after the application ranking period has ended. Scoring of the applications will be done according to the scoring system posted on this webpage for the appropriate funding pool(s). Applications will be selected for plan development and contracting in ranked order according to the score as funds allow. In the event of a tie score, the assign tracking code feature in ProTracts (the NRCS will assign random numbers to applications to be used as a tiebreaker).

Funding: Available EQIP funds will be allocated based on the numerical ranking system set forth on the website. All ranking will be conducted in ProTracts. If insufficient funds are available to fund all eligible applicants, applications will be held and may be funded with extra EQIP funds received later during the fiscal year, or deferred to the next ranking period.

Priority Resource Concerns: Based on the diverse and often unique nature of tribal conservation issues the following resource concerns have been identified as being the highest priority for financial assistance when utilizing the WTCAC ranking tool:

Soil Erosion

sheet and rill; classic and ephemeral gully; streambank; shoreline; road, roadside and construction sites; wind

Soil Condition

organic matter depletion; phosphorus or nitrogen contamination from animal waste or other organics

Water Quantity

excessive runoff, flooding or ponding; insufficient flows in water courses

Water Quality

harmful levels of pesticides or pathogens in ground or surface water; excessive nutrients and organics in surface or groundwater; harmful temperatures of surface water; excessive suspended sediment and turbidity in surface water

Fish & Wildlife

inadequate cover/shelter or space; habitat fragmentation; threatened and endangered (T&E) federal, state, or tribally-recognized species; T&E declining species or species of concern

Plant Condition

noxious and invasive plants; forage quality and palatability; plants not adapted or suited; productivity, health, vigor; threatened and endangered (T&E) federal, state, tribally-recognized species; T&E declining species or species of concern

Domestic Animal

inadequate stock water; stress and mortality

Air Quality

objectionable odor; excessive greenhouse gasses (CO₂ or CH₄); excessive ozone

Energy

inefficient energy use of farming/ranching practices, field operations, facilities or equipment

Note:

See the individual County process on the WI NRCS web site for a local list of priority resource concerns if funding is sought through a County Fund Pool.

Ranking Tool Summary for FY2012 - WTCAC (Released 12/21/2011)

Description:

This scoring tool is for use in evaluating applications in the Wisconsin Tribal Conservation Advisory Council (WTCAC) Funding Pool.

Land Uses:

Crop, Forest, Hay, Headquarters, Pasture, Water, Wildlife

Efficiency Score:

Scoring Multiplier: 100.000

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
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Optional Notes:

National Priorities:

Scoring Multiplier: 1.000

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
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Questions:

Number	Question	Points
1	a. Meet regulatory requirements relating to animal feeding operations, or proactively avoid the need for regulatory measures?	15
1	b. Reduce sediment, nutrients or pesticides from agricultural operations located within a field that adjoins a designated impaired water body?	10
1	c. Reduce sediment, nutrients or pesticides from agricultural operations located within a field that adjoins a water body?	5
2	a. Increase groundwater recharge in identified groundwater depletion areas (http://water.usgs.gov/ogw/rasa/html/TOC.html)?	15
2	b. Conserve water from irrigation system improvements and result in estimated water savings of at least 5% and saved water will be available for other beneficial uses?	10
2	c. Conserve water in an area where the applicant participates in a geographically established or watershed-wide project?	5
3	a. Meet regulatory requirements relating to air quality or proactively avoid the need for regulatory measures?	15
3	b. Reduce green house gases such as methane, nitrous oxide, and volatile organic compounds (VOC)?	15
3	c. Increase carbon sequestration?	5
4	a. Reduce erosion to tolerable limits (Soil "T")?	15
5	a. Benefit threatened and endangered, at-risk, candidate, or species of concern as identified in a State wildlife plan?	15
5	b. Retain wildlife and plant benefits on land exiting the Conservation Reserve Program (CRP)?	15
6	a. Eradicate or control noxious or invasive species?	10
6	b. Increase, improve or establish pollinator habitat?	10
6	c. Implement precision agricultural methods?	10
6	d. Properly dispose of animal carcasses?	5
6	e. Implement an Integrated Pest Management plan?	5
7	a. Reduce energy consumption on the agricultural operation?	15
7	b. Increase on-farm energy efficiency with more efficient equipment?	10
7	c. Assist in implementing energy conservation measures that reduce emissions from GHGs and air pollutants?	10
8	a. Implementation of all planned conservation practices within three years of contract obligation?	10

8	b. Improvement of existing conservation practices or conservation systems already in place at the time the application is accepted, or will complete an existing conservation system?	10
9	a. If the applicant has an existing EQIP contract, has it been, and is it now, on schedule and in full compliance?	5
9	b. Did the applicant successfully complete any past contract(s) in full compliance?	5
9	c. Is this the applicant's first EQIP application?	5
Total Points		250

State Issues:

Scoring Multiplier: 1.000

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
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Questions:

Sub-heading Number	Question Number	Question	Points
	1	Will this application result in a contract that will leverage other partnerships or funds?	50
	2	Are all active EQIP contracts for this applicant on schedule and in full compliance with no modifications completed due to a delay in implementation, except those beyond participant's control?	25
	3	Does this application have WTCAC approval?	250
	4	Is it imperative that the practices on this application are completed within the upcoming construction season?	50
	5	Will at least one practice on this application enable the applicant to address one or more identified concerns in a Tribal long range plan?	25
Maximum Points:			Total Points
			400

Local Issues:

Scoring Multiplier: 0.100

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
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Questions:

Sub-heading Number	Question Number	Question	Points
1		Soil Erosion	
	1	Will sheet and rill erosion be addressed by any practice on this application?	65
	2	Will ephemeral gully erosion be addressed by any practice on this application?	65
	3	Will classic gully erosion be addressed by any practice on this application?	65
	4	Will streambank erosion be addressed by any practice on this application?	65
	5	Will shoreline erosion be addressed by any practice on this application?	65
	6	Will wind erosion be addressed by any practice on this application?	65
	7	Will road, road side or construction site erosion be addressed by any practice on this application?	65
2		Soil Condition	
	8	Will organic matter depletion be addressed by any practice on this application?	65
	9	Will nitrogen contamination from animal waste or other organics be addressed by any practice on this application?	65
	10	Will phosphorus contamination from animal waste or other organics be addressed by any practice on this application?	65
3		Water Quantity	
	11	Will excessive runoff, flooding or ponding be addressed by any practice on this application?	65
	12	Will insufficient flows in water courses be addressed by any practice on this application?	65
4		Water Quality	
	13	Will excessive nutrients (N,P or K), organics, or pathogens in the groundwater be	65

		addressed by any practice on this application?	
	14	Will excessive nutrients (N,P or K), organics, or pathogens in the surface water be addressed by any practice on this application?	65
	15	Will harmful levels of pesticides in the groundwater be addressed by any practice on this application?	65
	16	Will harmful levels of pesticides in the surface water be addressed by any practice on this application?	65
	17	Will excessive suspended sediment and turbidity in surface water be addressed by any practice on this application?	65
	18	Will harmful temperatures of surface water be addressed by any practice on this application?	65
	19	Will a direct conduit to groundwater be addressed by any practice on this application?	65
5		Plant Condition	
	20	Will forage quality and palatability be addressed by any practice on this application?	65
	21	Will noxious and invasive plants be addressed by any practice on this application?	65
	22	Will plant productivity, health and vigor be addressed by any practice on this application?	65
	23	Will plants not adapted or suited be addressed by any practice on this application?	65
	24	Will threatened or endangered plant species (Fed,State,Tribal) be addressed by any practice on this application?	65
	25	Will threatened or endangered plant species (declining species or species of concern) be addressed by any practice on this application?	65
6		Fish and Wildlife	
	26	Will inadequate cover or shelter for fish or wildlife be addressed by any practice on this application?	65
	27	Will inadequate space for fish or wildlife be addressed by any practice on this application?	65
	28	Will fish or wildlife habitat fragmentation be addressed by any practice on this application?	65
	29	Will threatened or endangered fish or wildlife species (Fed,State,Tribal) be addressed by any practice on this application?	65
	30	Will threatened or endangered fish or wildlife species (declining species or species of concern) be addressed by any practice on this application?	65
7		Air	
	31	Will objectionable odors be addressed by any practice on this application?	65
	32	Will excessive CH4 (methane) be addressed by any practice on this application?	65
	33	Will excessive CO2 (carbon dioxide) be addressed by any practice on this application?	65
	34	Will excessive ozone be addressed by any practice on this application?	65
8		Domestic Animal	
	35	Will inadequate stock water for domestic animals be addressed by any practice on this application?	65
	36	Will domestic animal stress and mortality be addressed by any practice on this application?	65
9		Energy	
	37	Will energy inefficiency of farming/ranching practices or field operations be addressed by any practice on this application?	80
	38	Will energy inefficiency of equipment or facilities be addressed by any practice on this application?	80
		Maximum Points: Total Points	2500

Selected Resource Concerns and Practices:

- Air Quality: Excessive Greenhouse Gas - CH4 (methane)
 - Anaerobic Digester, Controlled Temp. (366)
 - Animal Mortality Facility (316)
 - Nutrient Management (590)
 - Solid/Liquid Waste Separation Facility (632)
 - Tree/Shrub Establishment (612)
 - Waste Facility Cover (367)
 - Waste Treatment (629)
 - Windbreak/Shelterbelt Establishment (380)
 - Windbreak/Shelterbelt Renovation (650)
- Air Quality: Excessive Greenhouse Gas - CO2 (carbon dioxide)
 - Access Control (472)

State Questions (applies only to WTCAC ranking tool)

- 1) Will this application result in a contract that will leverage other partnerships or funds?

Partnership: In kind services from other agencies, NGO's, or other entities other than the applicant Tribe.

Funds: Dollars from other agencies, NGO's, or other entities other than the applicant Tribe.

The Tribe should submit documentation of other funds.

- 2) Are all active EQIP contracts for this applicant on schedule and in full compliance with no modifications completed due to a delay in implementation, except those beyond participant's control?

Examples of delays beyond participant's control: weather-related delays, cultural resource issues, threatened/endangered species issues, designs not completed (from a provider other than participant).

- 3) Does this application have WTCAC approval?

The project and costs were approved by motion.

- 4) Is it imperative that the practices on this application are completed within the upcoming construction season?

This implies "other" funding for the project will be lost if not completed within the upcoming construction season, or due to the critical nature of resource concerns that needs to be addressed immediately to reduce the likelihood of further resource degradation.

Could indicate resource problem just occurred or was just discovered.

- 5) Will at least one practice on this application enable the applicant to address one or more identified concerns in a Tribal long range plan?

Long-range plans are any multi-year, tribally-approved plans including Forest Management Plans, Watershed Plans and Integrated Resource Management Plans.



United States
Department of
Agriculture

Farm and Foreign
Agricultural
Services

Farm
Service
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2912 Red Fox Run
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Fax: 608-742-0194

Farm Service Agency (FSA) REPORT TO WTCAC – August 9, 2012

By Susan Hunter, (608) 742-5361 ext 104, susan.hunter@wi.usda.gov

CRP Acres – Released for Emergency Haying & Grazing: CRP contract holders in most WI Counties with eligible grassland practices can apply to hay or graze their eligible CRP fields under emergency or managed haying/grazing provisions with prior approval from the local FSA office. (See attached fact sheet).

Emergency Loans Available due to Drought: All producers who suffered crop losses due to drought in counties that received emergency designations are eligible to apply for low interest (2.25%) emergency loans to cover their crop losses. These loans are only available to those who are unable to get loans through local lenders. Calculations will be made after harvest or if crop insurance records show final production records. (See attached fact sheet)

Disaster Loss Documentation: In the event that any crop or livestock disaster loss programs that expired September 30, 2011 are extended or approved for 2012, producers need to gather verifiable or reliable information to document the losses (See attached fact sheet).

Farm Loans - August Interest Rate: Producers and landowners are eligible for low fixed-interest operating and ownership loans through FSA. These loans are available to those that are unable to obtain loans with their local lenders. Interest rates in effect the month the loan is approved or disbursed remain in effect for the life of the loan. Loan funds are limited and there is currently a waiting list for loans to be funded.

- 1 year annual and 7-year operating loans – 1.25%
- 40 year ownership loans – 3.00%

Farm Bill: Doesn't sound like the 2008 Farm Bill will be extended another year. House passed legislation to give some relief to beef and other producers, but not likely to make it through the Senate. Keep watch for details as the debates continue.

Extended Crop Reporting Deadline: Due to recent changes, producers can late-file their 2012 crop acreages or 2013 fall seeded crops to FSA without any late-filing fees through July 1st, 2013.

County Committee Elections: The deadline to file a nomination for the local County Committee election ended August 1st. Elections in each county will take place this November/December. FSA offices will accept interest at any time from any woman or minority producer who would like to serve as a County Committee Advisor. Not likely that Committee Advisors will be given voting rights.

Compensation for Women and Hispanic Farmers – Claims of Past Discrimination: FSA will be doing outreach to women and Hispanic farmers who feel they have been discriminated in the past by USDA for their farm loans. (See attached fact sheet)



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FACT SHEET

UNITED STATES DEPARTMENT OF AGRICULTURE

July 2012

Emergency Haying and Grazing of Conservation Reserve Program Acres for 2012

Overview

USDA Farm Service Agency's (FSA) Conservation Reserve Program (CRP) is a voluntary program available to agricultural producers to help them safeguard environmentally sensitive land. Producers enrolled in CRP establish long-term, resource-conserving covers to improve the quality of water, control soil erosion, and enhance wildlife habitat. In return, FSA provides participants with rental payments and cost-share assistance. Contract duration is between 10 and 15 years.

The Food Security Act of 1985, as amended, authorized CRP. The program is also governed by regulations published in 7 CFR Part 1410. The program is implemented by FSA on behalf of USDA's Commodity Credit Corporation.

Haying and Grazing

Haying and grazing of CRP acreage is authorized under certain conditions to improve the quality and performance of the CRP cover or to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorization: managed and emergency.

Primary Nesting Season

Generally, CRP acreage may not be hayed or grazed during the Primary Nesting Season for certain wildlife established by state FSA committees in consultation with USDA's Natural Resources Conservation Service (NRCS) State Technical Committee.

Emergency Haying and Grazing

Emergency haying and grazing of CRP acreage may be authorized to provide relief to livestock producers in areas affected by a severe drought or similar natural disaster.

Emergency authorization is provided by either a national FSA office authorization or by a state FSA committee determination utilizing the U.S. Drought Monitor.

National FSA Authorization

County eligibility is based on a county FSA committee request documenting a 40 percent or greater loss in normal hay and pasture production and either:

- for drought conditions, precipitation levels at an average of 40 percent or greater loss of normal precipitation for the 4 most recent months plus the days in the current month before the date of request;

or

- for excessive moisture conditions, precipitation levels at an average of 140 percent or greater increase in normal precipitation during the 4 most recent consecutive months plus the days in the current month before the date of request.

Emergency haying or grazing is limited to the acreage physically located within the boundary of the eligible county or portion of a county. Under this authority, acreage will only be authorized for a specified time and may end earlier than announced if conditions improve.

State FSA Committee Determination

For 2012, a county is authorized for emergency haying and grazing outside the Primary Nesting Season if the county is designated as level "D0-Abnormally Dry", as of July 19, 2012 or later, according to the U.S. Drought Monitor. The U.S. Drought Monitor is available online at: <http://www.drought.unl.edu/dm/monitor.html>

Under this special determination, emergency **haying** is authorized to August 31, 2012. Emergency **grazing** is authorized until September 30, 2012.

Eligible Acreage

Acreage eligible for managed or emergency haying and grazing includes acreage devoted to the following practices: CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C and CP38 in certain States.

Ineligible Acreage

Acreage ineligible for managed or emergency haying and grazing includes acreage devoted to

- Useful life easements;
- Land within 120 feet of a stream or other permanent water body;
- The following practices: CP3, CP3A, CP5A, CP8A, CP9, CP11, CP12, CP15A, CP15B, CP17A, CP21, CP22, CP23, CP24, CP25, CP27, CP28, CP29, CP30, CP31, CP32, CP33, CP35A-I, CP36, CP37, CP38 in certain States, CP39, CP40, CP41 and CP42.

Modified Conservation Plan

Before CRP acreage is declared eligible for haying or grazing, a modified conservation plan developed by NRCS or a technical service provider must be obtained. The modified conservation plan must be site specific, include the authorized duration, and reflect local wildlife needs and concerns. The primary purpose must be to maintain vegetative cover, minimize soil erosion, and protect water quality and wildlife habitat quality.

File Request Before Starting

CRP participants requesting emergency or managed haying and grazing must file a request with their county FSA office indicating the acreage to be hayed or grazed before the activity begins.

Required Payment Reduction

The CRP-authorizing legislation requires a payment reduction to be assessed. Generally, CRP participants are assessed a haying or grazing payment reduction of 25 percent. For 2012 only, the 25 percent haying and grazing payment reduction has been reduced to 10 percent.

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To file a complaint of discrimination, write to USDA, Assistant Secretary for Civil Rights, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, S.W., Stop 9410, Washington, DC 20250-9410, or call toll-free at (866) 632-9992 (English) or (800) 877-8339 (TDD) or (866) 377-8642 (English Federal-relay) or (800) 845-6136 (Spanish Federal-relay).

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Emergency Loan Program

Overview

USDA's Farm Service Agency (FSA) provides emergency loans to help producers recover from production and physical losses due to drought, flooding, other natural disasters or quarantine.

Loan Uses

Emergency loan funds may be used to:

- Restore or replace essential property;
- Pay all or part of production costs associated with the disaster year;
- Pay essential family living expenses;
- Reorganize the farming operation and;
- Refinance certain debts.

Eligibility

Emergency loans may be made to farmers and ranchers who:

- Own or operate land located in a county declared by the President or designated by the Secretary of Agriculture as a primary disaster area or quarantine area. All

counties contiguous to the declared, designated, or quarantined primary counties also are eligible for emergency loans. A disaster designation by the FSA administrator authorizes emergency loan assistance for physical losses only in the designated and contiguous counties;

- Are established family farm operators and have sufficient farming or ranching experience;
- Are citizens or permanent residents of the United States;
- Have suffered at least a 30 percent loss in crop production or a physical loss to livestock, livestock products, real estate or chattel property;
- Have an acceptable credit history;
- Are unable to receive credit from commercial sources;
- Can provide collateral to secure the loan and;
- Have repayment ability.

Loan Requirements

FSA loan requirements are different from those of other lenders. Some of the more significant differences are the following:

- Borrowers must keep acceptable farm records;
- Borrowers must operate in accordance with a farm plan they develop and agree to with local FSA staff and;
- Borrowers may be required to participate in a financial management training program and obtain crop insurance.

Collateral is Required

All emergency loans must be fully collateralized. The specific type of collateral may vary depending on the loan purpose, repayment ability and the individual circumstances of the applicant. If applicants cannot provide adequate collateral, their repayment ability may be considered as collateral to secure the loan. A first lien is required on property or products acquired, produced or refinanced with loan funds.

Loan Limit

Producers can borrow up to 100 percent of actual production or physical losses, to a maximum amount of \$500,000.

Loan Terms

Loans for crop, livestock, and non-real estate losses are normally repaid within one to seven years, depending on the loan purpose, repayment ability and collateral available as loan security. In special circumstances, terms of up to 20 years may be authorized. Loans for physical losses to real estate are normally repaid within 30 years. In certain circumstances, repayment may be made over a maximum of 40 years.

Interest Rate

The current annual interest rate for emergency loans is 2.25 percent.

Application Deadline

Applications for emergency loans must be received within eight months of the county's disaster or quarantine designation date.

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Disaster Assistance Program Loss Documentation

Wisconsin Farm Service Agency

Adverse weather conditions across the state and the ending of the disaster assistance programs in the 2008 Farm Bill has created numerous questions for producers potentially facing crop or livestock losses.

The USDA Wisconsin Farm Service Agency encourages producers with current or pending losses due to adverse weather conditions, natural disasters, disease or other conditions to document losses following the guidelines provided. Properly documenting losses may provide producers with the opportunity to participate in any new or continuing disaster assistance programs that may be authorized in the 2012 Farm Bill.

Producers need to also report all cropland and pastureland, even if they are not participating in other FSA programs as previous disaster assistance programs required producers to file crop reports to qualify.



Crop Loss Documentation

Producers who suffer crop losses due to natural disasters may need to provide verifiable types of records, if they exist, or reliable records.

Verifiable types of records may include:

- sale receipts from buyers;
- invoices from custom harvesting;
- truck or warehouse scale tickets;
- actual measurements or appraisals by FSA, RMA or reinsured companies, LA's, Feed Company representatives, or FSA State Committee approved consultants; or
- similar records that represent actual and specific production data.

Reliable types of records may include:

- ledgers of commodity sales volume or income;
- income statements of deposits;
- register tapes;
- records to verify production input costs;
- producer diaries, ledgers, or receipts;
- pick records;
- other USDA program data (FSA loans, etc).

If the crop was sold or disposed of through commercial

channels, acceptable production records include:

- commercial receipts;
- settlement sheets;
- ledger sheets or load summaries from warehouse, process, or buyer; or
- appraisal information.

If the crop was farm-stored, sold, fed to livestock, or disposed of through noncommercial channels, acceptable production records include:

- truck scale tickets;
- appraisal information;
- contemporaneous reliable diaries; or
- other documentary evidence, such as contemporaneous reliable measurements.

Livestock Loss Documentation

Producers who suffer livestock losses due to natural disasters, adverse weather conditions need to provide verifiable or reliable records. Verifiable documentation may include:

- rendering truck receipts or certificates;
- FEMA records;
- National Guard records;
- veterinary records;
- records assembled for tax purposes;
- private insurance documents;
- written contracts;
- bank or other loan documents;
- purchase records;
- production records; or
- property tax records.

Reliable documentation for livestock losses may include:

- contemporaneous producer records existing at the time of the event;
- pictures with a date;
- brand inspection records;
- dairy herd improvement records; or
- other similar reliable documents.

Livestock Stored, Harvested or Purchased Feed Loss Documentation

Producers suffering losses of stored harvested feed or purchased feed for livestock may need have the original receipts of purchase that includes:

- date of feed purchase;
- name, address, and telephone number of feed vendor;

- type and quantity of feed purchased;
- cost of feed purchased;
- and signature of feed vendor if no license to conduct this type of transaction

Honeybee and Feed Loss Documentation

Documentation for honeybee purchased or harvested feed losses may include:

- original receipts for purchased feed;
- weight tickets;
- truck scale tickets;
- contemporaneous diaries verifying the crop was stored with intent to feed;
- custom harvest documents clearly identifying the amount of feed produced.

Documentation for honeybee losses may include:

- a report of acreage (colonies reported);
- loan records;
- private insurance documents;
- property tax records;
- sales and purchase receipts;
- State colony registration documentation (not in Wisconsin);
- chattel inspections;
- proof of good management practices, including adequate feed for colonies, preventative treatment for varroa mites and disease, and other proper maintenance practices;
- any additional documentation the producer may have, including State health certifications for varroa mite or nosema levels reflecting the level of mites or disease.

Farm-Raised Fish and Feed Loss Documentation

Documentation for purchased and harvested feed losses or physical losses for farm-raised fish may include:

- acreage reports (surface acres of water);
- loan records;
- private insurance documents;
- property tax records;
- sales and purchase receipts;
- chattel inspections;
- sales receipts.

Orchardists and Nursery Trees, Bushes and Vines Loss Documentation

Orchardists and nursery tree growers with damaged or lost trees, bushes, or vines due to natural disasters should keep documentation of the loss or damage such as the following:

- receipts for original purchase of the trees, bushes, or

vines;

- documentation of labor and equipment used to plant or remove the lost trees, bushes, or vines;
- chemical, fertilizer, or other related receipts to substantiate the existence of the trees, bushes, or vines;
- Risk Management Agency (RMA) appraisal worksheet;
- certifications of tree, bush, or vine losses by third parties, such as consultants, Extension Service, universities, or Government personnel, but only if there is no other documentation available.

Additional Information

As always, producers are encouraged to report all cropland and pastureland in addition to maintaining documentation of losses. Producers who do not market crops nor have appraisals performed should be keeping contemporaneous records of production. Changes may occur to the reporting and documentation with the passage of the new Farm Bill, but by reporting crops and maintaining quality documentation, producers may be able to meet the proper reporting and documentation requirements for any new disaster assistance programs implemented.

Producers are also encouraged to report crop conditions to their county FSA office so that the information may be used to support the potential request for disaster declarations.

For more information or questions about disaster assistance programs, contact the local USDA Service Center or visit www.fsa.usda.gov.



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Section (as identified in House draft)	Program	House Changes from Current Law	Senate Changes from Current Law	Major Differences
2101	Conservation Stewardship Program	<ul style="list-style-type: none"> • Establishes implementation years 2013 through 2017 • Limits eligible land to that in production for at least 4 of the 6 years preceding Oct 1, 2012 • Requires contract offers to meet stewardship threshold for at least 2 priority resource concerns and meet or exceed 1 additional by the end of contract • Allows enrollment of lands that are protected by an agricultural land easement under ACEP • Allows contract to be renewed once if 2 additional priority resource concerns will be addressed • Requires that at least 5 priority resource concerns be identified for each area or watershed • Requires prorating of payments to equal annual payments 	Same	<ul style="list-style-type: none"> • Special enrollment authority for CRP in final year of contract • Emphasizes conservation activities to be implemented across the agricultural operation • Authorizes enrollment of only 9,000,000 acres (Senate authorized 10,348,000 acres) • Special crop rotation includes improving existing rotation [check]
2201	Environmental Quality Incentives	Adds wildlife habitat as a distinct purpose of the program	Same	None

	Program	Removes definitions related to organic production	Consolidates definitions related to organic production	Senate version still has definition related to National Organic Program
2202	Environmental Quality Incentives Program	Removes definitions related to organic production		
2203	Environmental Quality Incentives Program	<ul style="list-style-type: none"> Eliminates requirement that contract must remain in place for a minimum of 1 year after last practice implemented, but keeps requirement that the contract term is not to exceed 10 years Consolidates elements of Wildlife Habitat Incentives Program (WHIP) Provides flexibility for repayment of advance payment if not expended within 90 days and adds veterans as eligible for such advances 	Same	<ul style="list-style-type: none"> Changes person or entity to individual or entity – should be person or legal entity Does not adopt Senate changes regarding special rule for income foregone (Senate modifies the special rule for foregone income to include soil health and water quality/quantity improvement) Advance payments available for up to 50% instead of just 30% as in Senate Funds targeted for wildlife set at 5% rather than not less than 5% as in Senate
2204	Environmental Quality Incentives Program	Replaces reference to environmental benefits with conservation benefits	Same	None
2205	Environmental Quality Incentives Program	Replaces "farm, ranch, or forest" with "enrolled"	Same	None
2206	Environmental Quality Incentives Program	<ul style="list-style-type: none"> Payment limitation established at \$450,000 and also removes waiver authority Replaces rolling 6-year 	<ul style="list-style-type: none"> Payment limitation established at \$300,000 with ability to waive up to \$450,000 	<ul style="list-style-type: none"> House has higher payment limitation and removal of waiver authority

		<p>payment limitation with payment limitation for FY 2013-FY 2017</p>	<ul style="list-style-type: none"> • Replaces rolling 6-year payment limitation with payment limitation for FY 2013-FY 2017 	
2207	<p>Environmental Quality Incentives Program</p>	<p>Requires Conservation Innovation Grants (CIG) reporting no later than Dec 31, 2013 and every 2 years thereafter</p>	<p>Requires Conservation Innovation Grants (CIG) reporting no later than Dec 31, 2013 and every 2 years thereafter</p>	<p>House removes special funding for air quality projects House adds projects that facilitate on-farm conservation research and demonstration projects</p>
2208	<p>Environmental Quality Incentives Program</p>	<p>Amendments are effective October 1, 2012, and do not affect existing contracts</p>	<p>Same</p>	<p>None</p>
2301	<p>Agricultural Conservation Easement Program</p>	<ul style="list-style-type: none"> • Consolidates the Farm and Ranch Land Protection Program (FRPP), Grassland Reserve Program easement options, and Wetlands Reserve Program (WRP) into one program • <u>Agricultural Land Easement</u> Component: <ul style="list-style-type: none"> o Limits Federal share to not exceed 50 percent of the fair market value of the easement, while requiring the non-Federal share to be equivalent to the Federal share, with the entity contributing at least 50 percent of the Federal share with its own cash resources. o Includes an option to pay up 	<ul style="list-style-type: none"> • Same 	<ul style="list-style-type: none"> • Does not have agricultural viability language added during Senate Committee mark • Requires 50 percent contribution by State or other entity towards easement acquisition for wetlands easement on closed basin lake • House version does not transfer enrollment of former easement programs into ACEP while Elements of FRPP and GRP become the agricultural land easement component of ACEP, and elements of WRP become the wetland easement component of ACEP • Both House and Senate require 40% of annual funding to go towards agricultural land easements but House version requires 50% of funds for agricultural land easements in FY 2017. • House version simplifies provision regarding easement delegation of wetland easements, specifying that conservation organizations can only be delegated easement management responsibilities

		<p>to 75 percent for grasslands of special environmental significance through agricultural land protection easements</p> <ul style="list-style-type: none"> ○ Maintains certification process for eligible entities, with same ability to have longer-term agreements, etc. ○ Prohibits bidding down ○ Requires easements to be subject to an easement conservation plan <ul style="list-style-type: none"> ● <u>Wetland Easement Component:</u> ○ Maintains most elements of WRP eligibility and administrative framework ○ Authorizes a waiver process to allow enrollment of CRP lands established to trees ○ Allows ranking criteria to consider extent to which landowner or other non-Federal entity leverages Federal investment ○ Reduces ownership requirement prior to enrollment from 7 years to 2 years ○ Keeps WRP compensation framework for wetland easements 		
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		<ul style="list-style-type: none"> • <u>Joint Provisions:</u> ○ Specifies the following lands as ineligible— <ul style="list-style-type: none"> ▪ Federal lands except lands held in trust for Indian tribes ▪ State-owned lands, including lands owned by agencies or subdivisions of the State, or unit of local government ▪ Land that already receives similar protection that would be achieved by enrollment ▪ Lands that have on-site or off-site conditions that would undermine meeting purposes of the program ○ Requires at least 40 percent of ACEP funding to be for agricultural land protection easement ○ Authorizes easement subordination, modification, exchange, termination of easements under certain limited criteria ○ Lands enrolled in FRPP, GRP, and WRP are considered enrolled in ACEP 	
		<ul style="list-style-type: none"> • Establishes a program to implement activities through partnership agreements and contracts with producers. • Consolidates attributes of 	Regional Conservation Partnership Program
		Same	2401
		<ul style="list-style-type: none"> • House requires 6 percent of the funds and acres made available for a covered program be reserved for each FY 2013 through 2017 to supplement baseline funding for the program while Senate requires 8 percent of such funds 	

<p>current partner programs, including the Cooperative Conservation Partnership Initiative, the Agricultural Water Enhancement Program, and the Chesapeake Bay Watershed Initiative.</p> <ul style="list-style-type: none"> • No established partnership share required, just significant contribution as determined by Secretary. • Limits length of Partnership Agreements to a period not to exceed 5 years with possible 1 time extension of up to 12 months • Requires partner to define scope of a project, conduct outreach, act on behalf of a producer (if requested), leverage Federal financial and technical assistance with additional funds, conduct an assessment of the project and report on results of the project • Requires competitive process to select applications for partnership agreements • Requires criteria used in competitive process to be made public 	<ul style="list-style-type: none"> • House requires 50 percent of funds to be allocated to National projects, 25 percent to State projects, and 25 percent to critical conservation areas while Senate requires allocation of 40 percent to National projects, 25 percent to State projects, and 35 percent to critical conservation areas • House limits designation of critical conservation areas to 8 geographic areas while Senate limits designation of critical conservation areas to 6 geographic areas • Includes as eligible partners an entity that is a water district, irrigation district, rural water district or association, or other organization with specific water delivery authority to producers on agricultural land • House has no provision for alternative funding arrangements while Senate has provision for a pooling arrangement with State, subdivisions, and Tribes and limits the number of pooling projects to 10 agreements) • House authorizes the use of the Watershed Operations and Flood Prevention authorities (except for Watershed Rehabilitation) in implementation of projects in critical conservation area
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		<ul style="list-style-type: none"> Requires public disclosure of funded projects Requires report to Congress on status of funded projects no later than December 31, 2013, and every two years thereafter Requires administration of agreements in critical conservation areas to be consistent with program terms Requires activities in critical conservation areas be consistent with other Federal and State programs and water quality strategies 		
2501	Conservation of Private Grazing	Extends program and maintains \$60 million/year authorized funding	Extends program and reduces authorized funding to \$30 million/year	House provides twice the funding per year
2502	Grassroots Source Water Protection Program	Authorizes \$5 million of CCC funds to be available until expended	Authorizes \$15 million/year to be appropriated in FY 2013-2017	House provides one-time mandatory funding of \$5 million while Senate provides yearly authorization of appropriations at \$15 million/year
2503	Voluntary Public Access	Requires reporting on program effectiveness within 2 years of enactment	Same	House provides \$30 million in CCC funds for FY 2013-17 while Senate provides \$40 million for FY 2013-17
2504	ACES	Extends ACES authority and allows Title XII funding for program delivery, with exception of funds made available for the Conservation Reserve Program	Same	None

2505	Small Watersheds	Provides additional funding for Watershed Rehabilitation Program	Same	House provides \$250 million CCC funds to be made available in FY 2013, to remain available until expended and authorizes appropriations in the amount of \$85 million for each of FY2013-FY2017 while Senate version only authorizes appropriations in the amount of \$85 million for each of FY 2013 through 2017.
2506 (House)	Agricultural Management Assistance	<ul style="list-style-type: none"> Removes soil erosion control from authorized funding uses Maintains \$10 million/year CCC funding level Reduces NRCS share from 50% to 30% Maintains 10 % share for AMS Increases from 40% to 60% RMA's share 	<ul style="list-style-type: none"> Removes specific reference to 16 States Authorizes funding at \$23 million/year of CCC funds NRCS share of funds reduced from 50% to 24% 	Senate has overall higher funding but possibly nationwide versus 16 states. Senate reorganizes provision to a greater extent.
2506 (Senate)	Desert Terminal Lakes	No provision addressing Desert Terminal Lakes	<ul style="list-style-type: none"> Authorizes \$25 million to be appropriated and \$150 million in CCC funds to be transferred to Bureau of Reclamation 	Senate version addresses Desert Terminal Lakes authority under Title II of the Farm Security and Rural Investment Act while House version does not
2601	Funding	<ul style="list-style-type: none"> ACEP funding is \$450 million in FY 2013; \$475 million in FY 2014; \$500 million in FY 2015; \$525 million in FY 2016; and \$266 million in FY 2017. CSP funding is for 9 million acres EQIP funding is \$1.750 billion for each of FY 2013 through 	<ul style="list-style-type: none"> ACEP funding is \$223 million in FY 2013; \$702 million in FY 2014; \$500 million in FY 2015; \$ 525 million in FY 2016; and \$250 million in FY 2017 CSP funding is for 10,348,000 acres 	House provides greater funding for ACEP and EQIP but lower funding for CSP

		<p>2017</p> <ul style="list-style-type: none"> Funds remain available until expended but unobligated balances offset subsequent fiscal year allocation 	<ul style="list-style-type: none"> EQIP funding is \$1.455 billion in FY 2013; and \$1.645 billion in FY 2014; and \$1.650 billion in each of FY 2015 through FY 2017. Funds remain available until expended but unobligated balances offset subsequent fiscal year allocation 	
2602	Technical Assistance	Funds made available for a program shall be used to provide technical assistance and an annual report shall be provided to Congressional committees detailing amount and use of such technical assistance funds	Same	None
2603	Regional Equity	Replaces required \$15 million minimum allocation to each state for a 0.6 percent minimum allocation to each state	Same	None
2604	Reservation of funds for certain producers	Extends special funding pools under EQIP and CSP for beginning and socially disadvantaged producers but adds priority for such producers if they are veterans	Same	None
2605	Annual report on program	Retains requirement to report certain high payments or	Same	None

2606	enrollment	payment limitation waivers but updates programs to which it applies to correspond with new program authorities	Requires a new review of conservation practice standards related to the completeness and relevance of the standards to local agricultural, forestry, and natural resource needs, including specialty crops, native and managed pollinators, bioenergy crop production, forestry, and such other needs as are determined by the Secretary, etc.	No new review required.	House requires new review of certain conservation practice standards
2607	Administrative Requirements for all conservation programs	Requires reduced administrative burden associated with conservation program administration and specifies that payments made under Title XII do not affect availability of other payments	Same	Same	Senate also has a subsection requiring streamlining in the application process in particular
2608	State Technical Committee	Requires review and update as necessary the standards and standard operating procedures of the State Technical Committee	Same	Same	None
2609	Rulemaking Authority	Incorporates as permanent law regulatory flexibility to publish regulations without regard to Paperwork Reduction Act and requires interim rulemaking	Same	Same	None

2701	Comprehensive Conservation Enhancement Program	Repealed	Same	None
2702	Emergency forestry conservation reserve program	Repealed with transition of existing contracts	Same	None
2703	Wetlands Reserve Program	Repeals WRP and authorizes use of ACEP funds for prior year contracts	Repeals WRP, authorizes use of prior year WRP funds, including for provision of technical assistance, provided modification does not increase payment, and authorizes use of ACEP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law for existing obligations. Nor does the House version authorize prior year funds for technical assistance. Senate specifies prior year funding to be used until exhausted for any of the prior year contracts as long payment amount not increased through modification. Senate authorizes prior year funds for technical assistance.
2704	Farm and Ranch and Protection Program	Repeals FRPP/Farmland Viability and authorizes use of ACEP funds for prior year contracts	Repeals FRPP/Farmland Viability, authorizes use of prior year FRPP funds, including for technical assistance, and authorizes use of ACEP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2705	Grassland Reserve Program	Repeals GRP and authorizes use of ACEP funds for prior year contracts	Repeals GRP, authorizes use of prior year funds, including for technical assistance, provided	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies

				modification does not increase payment, and authorizes use of ACEP funds for prior year contracts	that prior year funding to be used until exhausted for any of the prior year contracts as long payment amount not increased through modification and the use of prior year funds for technical assistance.
2706	Agricultural Water Enhancement Program	Repeals AWEP and authorizes RCCP funds for prior year contracts	Repeals FRPP/Farmland Viability, authorizes use of prior year FRPP funds, including for technical assistance, and authorizes use of ACEP funds for prior year contracts	Repeals FRPP/Farmland Viability, authorizes use of prior year FRPP funds, including for technical assistance, and authorizes use of ACEP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2707	Wildlife Habitat Incentives Program	Repeals WHIP and authorizes EQIP funds for prior year contracts	Repeals WHIP, authorizes use of prior year WHIP funds, including for technical assistance, and authorizes use of EQIP funds for prior year contracts	Repeals WHIP, authorizes use of prior year WHIP funds, including for technical assistance, and authorizes use of EQIP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2708	Great Lakes basin program	Repeals Great Lakes basin program	Same	Same	None
2709	Chesapeake Bay watershed program	Repeals CBWI and authorizes RCPP funds for prior year contracts	Repeals CBWI, authorizes use of prior year CBWI funds, including for technical assistance, and authorizes use of RCPP funds for prior year contracts	Repeals CBWI, authorizes use of prior year CBWI funds, including for technical assistance, and authorizes use of RCPP funds for prior year contracts	House does not specify authority to use prior year funds though such funds may be available until expended under current law to cover existing obligations. Nor does House authorize prior year funds for technical assistance. Senate specifies that prior year funding to be used until exhausted for any of the prior year contracts and authorizes the use of prior year funds for technical assistance
2710	Cooperative Conservation	Repeals CCPI and authorizes RCPP funds for prior year	Repeals CCPI, authorizes use of prior	Repeals CCPI, authorizes use of prior	House does not specify authority to use prior year funds though such funds may be available until

Current Issues of concern regarding practices and practice components for the 2013 Payment/Practice Schedule for EQIP.

- All three states, MI, MN and WI are concerned that issues specific to tribal needs are addressed in the 2013 Payment/Practice Schedule.
- Action will need to be taken over the next few weeks to assure that tribal concerns are addressed. Below is a summary of the concerns identified by WTCAC.
- We should be able to get historic cost data from the NRCS State Office. Matt Otto will be back on August 13th and Lori Van Huile has offered to help run things down. We may need to call on WTCAC members for data.

Non engineering practices (overall responsibility for non-engineering practices lies with June Moss, NRCS Agricultural Agronomist in Michigan). It is difficult to assess needs for some of these practices i.e., 395, 643, 644 and 645 because National Scenarios have not been released for these practices.

1. 315 Herbaceous Weed Control
 - A. A scenario should be developed for control of aquatic invasives that includes hand pulling narrow leafed cattail.
 - B. We need to think about creating additional scenarios.
 - C. We will need a breakdown of activities and costs on this.
2. 327 Conservation Cover
 - A. This may be the standard to use for Wild Rice Seeding.
 - B. We will need a breakdown of activities and costs on this.
 - C. June Moss from MI sent us their cost data for when they cost shared the practice.
3. 395 Stream Habitat Improvement and Management
 - A. There is some indication that this might be the practice to use for beaver dam and other dam removal.
4. 396 Aquatic Organism Passage
 - A. No components are currently available that relate to dam removal or beaver dam removal.
 - B. Components are available for bottomless culverts with footings.
5. 643 Restoration and Management of Declining Habitat
 - A. Practice definition and purpose for 643 specifically mentions aquatic ecosystems and fish habitat.
 - B. Our sole scenario in 2012 was Fish Cribs.
 - C. This practice may be a good fit for the Tree Drop scenarios which were part of 644 in the 2012 Payment Schedule.

6. 644 Wetland Wildlife Habitat Management
 - A. There are no component available related to actual purchase of plant materials, this suggests that they anticipate things like wild rice seedings be handled by 327 conservation cover.
 - B. Component ID 1449 (wood duck nesting box) is an available component
 - C. We need to determine whether a Loon Nesting Platform component would need to be specifically developed or could we just simply create a scenario using a appropriate amount of labor and dimensional lumber.

7. 645 Upland Wildlife Habitat Management
 - A. Bat Box (Component ID 246) and Bird Box (Component ID 251) both available under 645.

8. 798 Seasonal High Tunnel for Crops
 - A. Agronomy (Terry Kelly)
 - B. We need to determine if high tunnel constructed with traditional materials will meet the standard for either Hoop House, quonset style, base package (Component ID 1277) or Hoop House, gothic style, base package (Component ID 1278). Anecdotally traditional materials will likely more expensive.
 - C. Red Cliff's traditional style example will be publicly highlighted in the near future.

Engineering practices (overall responsibility for non-engineering practices lies with Scott Mueller, NRCS Assistant State Engineer in Wisconsin)

1. 326 Clearing and Snagging
 - A. This may be where Beaver Dam Removal scenario belongs, Note no reference to use of explosives.

2. 500 Obstruction Removal
 - A. It does not appear that this practice will serve our need for Beaver dam removal. All national scenario language states "This is not intended for the removal of obstructions from aquatic environments".
 - B. However there are National Scenarios under this practice that do refer to 'drilling, blasting and demolition' so there may be some helpful examples for us to use in whichever practice is appropriate for Beaver dam and other dam removal scenarios.

3. 560 Access Road
 - A. A draft Lake States scenario spreadsheet is currently available.
 - B. It is apparent that Heavy Use Area Protection is to be used to meet the needs served by the "Paved Surface – Water Access Point" Scenario we had in the 2012 Payment Schedule. So we should take a close look at the 561 scenario to assure that it will meet this need.

4. 561 Heavy Use Area Protection
 - A. It is apparent that Heavy Use Area Protection is to be used to meet the needs served by the "Paved Surface – Water Access Point" Scenario we had in the 2012 Payment Schedule. So we should take a close look at the 561 scenario to assure that it will meet this need.
5. 578 Stream Crossing
 - A. There are questions to be worked out regarding how this practice is to be applied if aquatic organism passage is a resource concern.
 - B. It may be worth analyzing whether Wisconsin's use of "Weiser Panels" would be possible using the available components.

Aquaculture Pond Related Practices. Kent Wabrowetz is currently working with Todd Zelensky out of Michigan on 396 Aquaculture Pond. It is Kent's understanding that Todd will be coordinating with other teams to assure that scenarios are included for practices related to Aquaculture Pond, i.e., 382, 516, 521A, 533, 587, 620 and 642. Review of these scenarios will be important.

1. 382 Fence (Non Engineering)
 - A. It appears that the currently available components will meet the need for fencing an aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. Lake States draft is currently available.
2. 397 Aquaculture Pond (Engineering)
 - A. A draft National scenario spreadsheet is currently available. No Lake States draft is currently available.
3. 516 Pipeline (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. No Lake States draft is currently available.
4. 521A Pond Sealing or Lining, Flex. Membrane (Engineering)
 - A. A review of currently available components to meet the needs for an aquaculture pond.
 - B. No National Scenario or Lake States scenario drafts currently available.
5. 533 Pumping Plant (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. No Lake States draft is currently available.

6. 587 Structure for Water Control (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is available. No Lake States scenario drafts currently available.

7. 620 Underground Outlet
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. The National Scenario draft spreadsheet is currently available. No Lake States draft is currently available.

8. 642 Water Well (Engineering)
 - A. It appears that the currently available components will meet the need for a pipeline for aquaculture pond.
 - B. No National Scenario or Lake States scenario drafts currently available.



Disaster Assistance Program Loss Documentation

Wisconsin Farm Service Agency

Adverse weather conditions across the state and the ending of the disaster assistance programs in the 2008 Farm Bill has created numerous questions for producers potentially facing crop or livestock losses.

The USDA Wisconsin Farm Service Agency encourages producers with current or pending losses due to adverse weather conditions, natural disasters, disease or other conditions to document losses following the guidelines provided. Properly documenting losses may provide producers with the opportunity to participate in any new or continuing disaster assistance programs that may be authorized in the 2012 Farm Bill.

Producers need to also report all cropland and pastureland, even if they are not participating in other FSA programs as previous disaster assistance programs required producers to file crop reports to qualify.



Crop Loss Documentation

Producers who suffer crop losses due to natural disasters may need to provide verifiable types of records, if they exist, or reliable records.

Verifiable types of records may include:

- sale receipts from buyers;
- invoices from custom harvesting;
- truck or warehouse scale tickets;
- actual measurements or appraisals by FSA, RMA or reinsured companies, LA's, Feed Company representatives, or FSA State Committee approved consultants; or
- similar records that represent actual and specific production data.

Reliable types of records may include:

- ledgers of commodity sales volume or income;
- income statements of deposits;
- register tapes;
- records to verify production input costs;
- producer diaries, ledgers, or receipts;
- pick records;
- other USDA program data (FSA loans, etc).

If the crop was sold or disposed of through commercial

channels, acceptable production records include:

- commercial receipts;
- settlement sheets;
- ledger sheets or load summaries from warehouse, process, or buyer; or
- appraisal information.

If the crop was farm-stored, sold, fed to livestock, or disposed of through noncommercial channels, acceptable production records include:

- truck scale tickets;
- appraisal information;
- contemporaneous reliable diaries; or
- other documentary evidence, such as contemporaneous reliable measurements.

Livestock Loss Documentation

Producers who suffer livestock losses due to natural disasters, adverse weather conditions need to provide verifiable or reliable records. Verifiable documentation may include:

- rendering truck receipts or certificates;
- FEMA records;
- National Guard records;
- veterinary records;
- records assembled for tax purposes;
- private insurance documents;
- written contracts;
- bank or other loan documents;
- purchase records;
- production records; or
- property tax records.

Reliable documentation for livestock losses may include:

- contemporaneous producer records existing at the time of the event;
- pictures with a date;
- brand inspection records;
- dairy herd improvement records; or
- other similar reliable documents.

Livestock Stored, Harvested or Purchased Feed Loss Documentation

Producers suffering losses of stored harvested feed or purchased feed for livestock may need have the original receipts of purchase that includes:

- date of feed purchase;
- name, address, and telephone number of feed vendor;

- type and quantity of feed purchased;
- cost of feed purchased;
- and signature of feed vendor if no license to conduct this type of transaction

Honeybee and Feed Loss Documentation

Documentation for honeybee purchased or harvested feed losses may include:

- original receipts for purchased feed;
- weight tickets;
- truck scale tickets;
- contemporaneous diaries verifying the crop was stored with intent to feed;
- custom harvest documents clearly identifying the amount of feed produced.

Documentation for honeybee losses may include:

- a report of acreage (colonies reported);
- loan records;
- private insurance documents;
- property tax records;
- sales and purchase receipts;
- State colony registration documentation (not in Wisconsin);
- chattel inspections;
- proof of good management practices, including adequate feed for colonies, preventative treatment for varroa mites and disease, and other proper maintenance practices;
- any additional documentation the producer may have, including State health certifications for varroa mite or nosema levels reflecting the level of mites or disease.

Farm-Raised Fish and Feed Loss Documentation

Documentation for purchased and harvested feed losses or physical losses for farm-raised fish may include:

- acreage reports (surface acres of water);
- loan records;
- private insurance documents;
- property tax records;
- sales and purchase receipts;
- chattel inspections;
- sales receipts.

Orchardists and Nursery Trees, Bushes and Vines Loss Documentation

Orchardists and nursery tree growers with damaged or lost trees, bushes, or vines due to natural disasters should keep documentation of the loss or damage such as the following:

- receipts for original purchase of the trees, bushes, or

vines;

- documentation of labor and equipment used to plant or remove the lost trees, bushes, or vines;
- chemical, fertilizer, or other related receipts to substantiate the existence of the trees, bushes, or vines;
- Risk Management Agency (RMA) appraisal worksheet;
- certifications of tree, bush, or vine losses by third parties, such as consultants, Extension Service, universities, or Government personnel, but only if there is no other documentation available.

Additional Information

As always, producers are encouraged to report all cropland and pastureland in addition to maintaining documentation of losses. Producers who do not market crops nor have appraisals performed should be keeping contemporaneous records of production. Changes may occur to the reporting and documentation with the passage of the new Farm Bill, but by reporting crops and maintaining quality documentation, producers may be able to meet the proper reporting and documentation requirements for any new disaster assistance programs implemented.

Producers are also encouraged to report crop conditions to their county FSA office so that the information may be used to support the potential request for disaster declarations.

For more information or questions about disaster assistance programs, contact the local USDA Service Center or visit www.fsa.usda.gov.



For more information, visit www.fsa.usda.gov or contact your local USDA Service Center.

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FACT SHEET

UNITED STATES DEPARTMENT OF AGRICULTURE

July 2012

Emergency Haying and Grazing of Conservation Reserve Program Acres for 2012

Overview

USDA Farm Service Agency's (FSA) Conservation Reserve Program (CRP) is a voluntary program available to agricultural producers to help them safeguard environmentally sensitive land. Producers enrolled in CRP establish long-term, resource-conserving covers to improve the quality of water, control soil erosion, and enhance wildlife habitat. In return, FSA provides participants with rental payments and cost-share assistance. Contract duration is between 10 and 15 years.

The Food Security Act of 1985, as amended, authorized CRP. The program is also governed by regulations published in 7 CFR Part 1410. The program is implemented by FSA on behalf of USDA's Commodity Credit Corporation.

Haying and Grazing

Haying and grazing of CRP acreage is authorized under certain conditions to improve the quality and performance of the CRP cover or to provide emergency relief to livestock producers due to certain natural disasters. There are two types of haying and grazing authorization: managed and emergency.

Primary Nesting Season

Generally, CRP acreage may not be hayed or grazed during the Primary Nesting Season for certain wildlife established by state FSA committees in consultation with USDA's Natural Resources Conservation Service (NRCS) State Technical Committee.

Emergency Haying and Grazing

Emergency haying and grazing of CRP acreage may be authorized to provide relief to livestock producers in areas affected by a severe drought or similar natural disaster.

Emergency authorization is provided by either a national FSA office authorization or by a state FSA committee determination utilizing the U.S. Drought Monitor.

National FSA Authorization

County eligibility is based on a county FSA committee request documenting a 40 percent or greater loss in normal hay and pasture production and either:

- for drought conditions, precipitation levels at an average of 40 percent or greater loss of normal precipitation for the 4 most recent months plus the days in the current month before the date of request;

or

- for excessive moisture conditions, precipitation levels at an average of 140 percent or greater increase in normal precipitation during the 4 most recent consecutive months plus the days in the current month before the date of request.

Emergency haying or grazing is limited to the acreage physically located within the boundary of the eligible county or portion of a county. Under this authority, acreage will only be authorized for a specified time and may end earlier than announced if conditions improve.

State FSA Committee Determination

For 2012, a county is authorized for emergency haying and grazing outside the Primary Nesting Season if the county is designated as level "D0-Abnormally Dry", as of July 19, 2012 or later, according to the U.S. Drought Monitor. The U.S. Drought Monitor is available online at: <http://www.drought.unl.edu/dm/monitor.html>

Under this special determination, emergency **haying** is authorized to August 31, 2012. Emergency **grazing** is authorized until September 30, 2012.

Eligible Acreage

Acreage eligible for managed or emergency haying and grazing includes acreage devoted to the following practices: CP1, CP2, CP4B, CP4D, CP10, CP18B, CP18C and CP38 in certain States.

Ineligible Acreage

Acreage ineligible for managed or emergency haying and grazing includes acreage devoted to

- Useful life easements;
- Land within 120 feet of a stream or other permanent water body;
- The following practices: CP3, CP3A, CP5A, CP8A, CP9, CP11, CP12, CP15A, CP15B, CP17A, CP21, CP22, CP23, CP24, CP25, CP27, CP28, CP29, CP30, CP31, CP32, CP33, CP35A-I, CP36, CP37, CP38 in certain States, CP39, CP40, CP41 and CP42.

Modified Conservation Plan

Before CRP acreage is declared eligible for haying or grazing, a modified conservation plan developed by NRCS or a technical service provider must be obtained. The modified conservation plan must be site specific, include the authorized duration, and reflect local wildlife needs and concerns. The primary purpose must be to maintain vegetative cover, minimize soil erosion, and protect water quality and wildlife habitat quality.

File Request Before Starting

CRP participants requesting emergency or managed haying and grazing must file a request with their county FSA office indicating the acreage to be hayed or grazed before the activity begins.

Required Payment Reduction

The CRP-authorizing legislation requires a payment reduction to be assessed. Generally, CRP participants are assessed a haying or grazing payment reduction of 25 percent. For 2012 only, the 25 percent haying and grazing payment reduction has been reduced to 10 percent.

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Emergency Loan Program

Overview

USDA's Farm Service Agency (FSA) provides emergency loans to help producers recover from production and physical losses due to drought, flooding, other natural disasters or quarantine.

Loan Uses

Emergency loan funds may be used to:

- Restore or replace essential property;
- Pay all or part of production costs associated with the disaster year;
- Pay essential family living expenses;
- Reorganize the farming operation and;
- Refinance certain debts.

Eligibility

Emergency loans may be made to farmers and ranchers who:

- Own or operate land located in a county declared by the President or designated by the Secretary of Agriculture as a primary disaster area or quarantine area. All

counties contiguous to the declared, designated, or quarantined primary counties also are eligible for emergency loans. A disaster designation by the FSA administrator authorizes emergency loan assistance for physical losses only in the designated and contiguous counties;

- Are established family farm operators and have sufficient farming or ranching experience;
- Are citizens or permanent residents of the United States;
- Have suffered at least a 30 percent loss in crop production or a physical loss to livestock, livestock products, real estate or chattel property;
- Have an acceptable credit history;
- Are unable to receive credit from commercial sources;
- Can provide collateral to secure the loan and;
- Have repayment ability.

Loan Requirements

FSA loan requirements are different from those of other lenders. Some of the more significant differences are the following:

- Borrowers must keep acceptable farm records;
- Borrowers must operate in accordance with a farm plan they develop and agree to with local FSA staff and;
- Borrowers may be required to participate in a financial management training program and obtain crop insurance.

Collateral is Required

All emergency loans must be fully collateralized. The specific type of collateral may vary depending on the loan purpose, repayment ability and the individual circumstances of the applicant. If applicants cannot provide adequate collateral, their repayment ability may be considered as collateral to secure the loan. A first lien is required on property or products acquired, produced or refinanced with loan funds.

Loan Limit

Producers can borrow up to 100 percent of actual production or physical losses, to a maximum amount of \$500,000.

Loan Terms

Loans for crop, livestock, and non-real estate losses are normally repaid within one to seven years, depending on the loan purpose, repayment ability and collateral available as loan security. In special circumstances, terms of up to 20 years may be authorized. Loans for physical losses to real estate are normally repaid within 30 years. In certain circumstances, repayment may be made over a maximum of 40 years.

Interest Rate

The current annual interest rate for emergency loans is 2.25 percent.

Application Deadline

Applications for emergency loans must be received within eight months of the county's disaster or quarantine designation date.

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*Bad River Band
of Lake Superior
Chippewa Indians*

July 2, 2012

*Forest County
Potawatomi
Community*

USDA Natural Resources Conservation Service
Ms. Patricia Leavenworth, State Conservationist
8030 Excelsior Drive, Madison, WI 53717

Ho-Chunk Nation

*Lac Courte Oreilles
Band of Lake
Superior Chippewa
Indians*

Dear Patricia: *Pat*

*Lac Du Flambeau
Band of Lake
Superior Chippewa
Indians*

The Wisconsin Tribal Conservation Advisory Council wishes to make you aware of some concerns that we have regarding the development of the 2013 EQIP Tri-State practice schedule. WTCAC has been working closely with Wisconsin NRCS for more than ten years now, and together we have had tremendous success in improving Tribal access to USDA programs. It seems that this Tri-State practice schedule process has the potential to impact our future partnership and success, and that it was an important time to engage all the Wisconsin Tribes in meaningful consultation concerning this new direction for delivery of NRCS programs.

*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*

Our first concern is that some of the Conservation Solutions used by the Wisconsin Tribes involve a suite of practices, used together to build a "System". In order for these systems to work, the proper Components must be present in each Standard to accommodate the System. A good example is an Aquaculture System, which will require items such as: Underground Outlet (Standard 680), Well (Standard 642), Pumping Plant (Standard 533), Heavy Use Area Protection (Standard 561) and many others. Each of these Standards must have appropriate components, and appropriate Scenarios, in order for the Aquaculture System to work. Presently it appears that many of these individual standards are assigned to multiple NRCS Teams, in multiple States, for scenario development without Tribal input or consultation. This multi-State, multi-team process seems to be kind of disjointed and we are greatly concerned that appropriate complete systems to meet Tribal needs may not be met. Particularly as these Teams are not consulting with the Tribes, or inviting the Tribes to be part of the process. As Consultation would take place, greater detail could be provided to explain these scenarios and to ensure that some component isn't inadvertently left out.


Another concern regards unique components developed by WTCAC over the years to address specific Tribal Concerns. As you are aware, the tribes have unique agricultural enterprises, and consequently unique conservation needs. Some examples of unique components that have been developed for use within EQIP and/or WHIP for example are: Under Standard 644, Tree Drops, Loon Nesting Platforms, Osprey Nesting Platforms, Wood Duck Nesting Boxes, and Wild Rice Seeding, and under Standard 643, Fish Cribs. As Consultation takes place, greater detail can be provided as to other unique needs.

Another concern regards the continued availability of a WTCAC Tribal specific List of Eligible Practices & Payment Schedules. As you are aware, this has been the manner in which EQIP has been presented to the Wisconsin Tribes for the past several years. Having a separate schedule has been important to WTCAC in order to simplify planning decisions, and to present unique practices available only to the Tribes. We are very much interested in having a Tribal Schedule available in the future but are unclear as to how this will continue under this new Tri-State direction.

Our greatest concern is that NRCS unilaterally decided to move to this Tri-State Payment Schedule process, and the resulting technical standards scenario development, without ever consulting with any of the Tribes in the Tri-State Area. It is only through the very strong working relationship that WTCAC has directly with you as Wisconsin's State Conservationist that we are even aware of this change. WTCAC most certainly cannot speak on behalf of the Tribes in Michigan and Minnesota, and in the sense of true Tribal Consultation, cannot speak on behalf of our own Tribal Governments concerning this process, as the opportunity for true Tribal Consultation has been missed. Therefore WTCAC, in its role as the Wisconsin Tribal Technical Committee, respectfully requests to be included in the Payment Schedule development process to ensure our Wisconsin Tribal concerns and needs are considered. At the same time, we'd like to bring to your attention the need for the NRCS to consult with the Tribes in Michigan and Minnesota. If this Tri-State Payment Schedule process is going to be law-of-the-land for three States, WTCAC cannot be assumed to be the voice of the Tribes outside of Wisconsin.

Please feel free to forward this letter to anyone you wish, and to expand or explain our concerns to other NRCS officials as you feel necessary. Our sense is that there is some urgency to making the national office aware of our need for Consultation, so prompt communication may be necessary. We would appreciate communication of responses as you receive them. Thank you for your constant and consistent consideration of our concerns.

Sincerely,



Patrick Pelky

President, Wisconsin Tribal Conservation Advisory Council

United States Department of Agriculture



Natural Resources Conservation Service
Wisconsin State Office
8030 Excelsior Drive, Suite 200
Madison, WI 53717-2905
Phone: (608) 662-4422
Fax: (608) 662-4430

July 12, 2012

Patrick J. Pelky, President
Wisconsin Tribal Conservation Advisory Council
P.O. Box 365
Oneida, Wisconsin 54155

Dear Mr. Pelky:

A handwritten signature in blue ink that reads "PAT".

Thank you for your letter dated July 2, 2012 (attached) which outlines several concerns that the Wisconsin Tribal Conservation Advisory Council (WTCAC) wished to elevate to me regarding the development of the 2013 EQIP Regional Payment Schedules. Your concerns include the following:

1. Concern that individual standards are assigned to multiple NRCS Teams, in multiple states for scenario development without Tribal input or consultation. This may place in jeopardy the conservation solutions where suites of practices are used together to build a "System".
2. Concern with being able to retain unique components that have been developed for use within EQIP and/or WHIP to address the unique agricultural enterprises, and consequently unique conservation need of the Tribes.
3. Concern regarding the continued availability of a WTCAC Tribal Specific List of Eligible Practices and Payment Schedules.
4. Concern with the fact that Consultation with Tribes should have taken place and needs to take place now to assure that Tribal needs and concerns are considered.

First, I appreciate your communicating these concerns to me. This new process was initiated nationally and the first phase of doing 15 practice standards began about a year ago. It was put in place to bring consistency to the payment schedule process. To my knowledge, the Wisconsin Tribes who had contracts with one or more of the 15 practices were able to utilize them. A special purpose fence scenario was developed to include aquaculture facilities in one instance.

This second round is a much larger undertaking and includes all remaining practices—many much more complex than the first 15 practices. I take responsibility for making sure that Consultation takes place as much as possible with WTCAC as we approach the September

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deadline for completion. I propose that Chris Borden, Wisconsin NRCS Tribal Resource Conservationist, serve as liaison with WTCAC to link with the various teams during this time. While the process appears complex NRCS has significant flexibility in the development of the scenarios, just as we have had in the past. And, as we discussed at the June WTCAC meeting, I would like to be proactive by getting scenarios that Tribes need to the teams and National Headquarters. As Chris Borden has stated, this can also be an opportunity to develop an even better consultation process. Then this can be shared with other Tribes to use as well in as we complete the creation of the new schedules throughout the country and move into continuous improvement of those set in place to meet the needs of our customers.

Finally, I have stated that Wisconsin will continue to provide the WTCAC-specific "List of Eligible Practices and Payment Schedules". The revised payment schedule development process will not affect the availability of the WTCAC "Cookbook".

I did touch base with the State Conservationists in Michigan and Minnesota. Michigan has not been contacted by Tribes with concerns about the Tri-state Regional Payment Schedule process. Some of Minnesota's Tribes expressed concerns and some did not. Now that we have a Central Region Tribal Conservation Advisory Council, perhaps this could provide a forum for these types of issues which transcend state boundaries.

I appreciate your patience as we learn from this experience and use it to improve and build upon our established ongoing Consultation with the Tribes in Wisconsin through WTCAC.

Sincerely,



PATRICIA S. LEAVENWORTH
State Conservationist

Enclosure

cc:

Jerry Thompson, Program Manager, WTCAC, Prairie Farm, WI
Thomas Christensen, Central-Regional Conservationist, NRCS, Washington, DC
Eric Allness, Acting ASTC for Environmental Improvement Program, NRCS, Madison, WI
Matt Otto, EQIP Coordinator, NRCS, Madison, WI
Chris Borden, Resource Conservationist, NRCS, Medford, WI

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Patrick J. Pelky, President
P.O. Box 365, Oneida, Wisconsin 54155
(920) 869-4590, ppelky1@oneidanation.org

*Bad River Band
of Lake Superior
Chippewa Indians*

July 2, 2012

*Forest County
Potawatomi
Community*

USDA Natural Resources Conservation Service
Ms. Patricia Leavenworth, State Conservationist
8030 Excelsior Drive, Madison, WI 53717

Ho-Chunk Nation

*Lac Courte Oreilles
Band of Lake
Superior Chippewa
Indians*

Dear Patricia:

Pat

*Lac Du Flambeau
Band of Lake
Superior Chippewa
Indians*

The Wisconsin Tribal Conservation Advisory Council wishes to make you aware of some concerns that we have regarding the development of the 2013 EQIP Tri-State practice schedule. WTCAC has been working closely with Wisconsin NRCS for more than ten years now, and together we have had tremendous success in improving Tribal access to USDA programs. It seems that this Tri-State practice schedule process has the potential to impact our future partnership and success, and that it was an important time to engage all the Wisconsin Tribes in meaningful consultation concerning this new direction for delivery of NRCS programs.

*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*

Our first concern is that some of the Conservation Solutions used by the Wisconsin Tribes involve a suite of practices, used together to build a "System". In order for these systems to work, the proper Components must be present in each Standard to accommodate the System. A good example is an Aquaculture System, which will require items such as: Underground Outlet (Standard 680), Well (Standard 642), Pumping Plant (Standard 533), Heavy Use Area Protection (Standard 561) and many others. Each of these Standards must have appropriate components, and appropriate Scenarios, in order for the Aquaculture System to work. Presently it appears that many of these individual standards are assigned to multiple NRCS Teams, in multiple States, for scenario development without Tribal input or consultation. This multi-State, multi-team process seems to be kind of disjointed and we are greatly concerned that appropriate complete systems to meet Tribal needs may not be met. Particularly as these Teams are not consulting with the Tribes, or inviting the Tribes to be part of the process. As Consultation would take place, greater detail could be provided to explain these scenarios and to ensure that some component isn't inadvertently left out.

**Environmental Quality Incentives Program FY 2013 Plan of Operations for
Wisconsin Tribal Conservation Advisory Council (WTCAC)**

The Environmental Quality Incentives Program (EQIP) offers financial assistance to agricultural producers to implement on-farm conservation practices. Eligible land is determined by the Natural Resources Conservation Service (NRCS) and is based on an identified resource concern. Eligible producers may apply for financial assistance on conservation practices that will address the identified resource concerns.

Eligible Practices and Payment Rates: See the FY13 Wisconsin NRCS List of Eligible Practices posted on the WI NRCS web site.

Application Period: Applications may be taken at any time. The sign-up period will be announced in the 1st quarter of FY13. All eligible applications received by the close of business on the last day of the sign-up period will be evaluated and ranked for FY 2013 funding consideration.

Tribes interested in applying may do so at their corresponding service center listed below.

Bad River and Red Cliff Bands of Lake Superior Chippewas

Ashland Service Center
315 Sanborn Avenue, Suite 100
Ashland, WI 54806

(phone) 715-682-9117 x115
(fax) 715-682-0320
gary.haughn@wi.usda.gov

Forest County Potawatomi Community, Lac du Flambeau Band of Lake Superior Chippewa and Sokaogon Chippewa Community

Rhineland Service Center
2187 North Stevens Street, Ste A
Rhineland, WI 54501

(phone) 715-362-5941
(fax) 715-363-9370
michael.stinebrink@wi.usda.gov

Lac Courte Oreilles Band of Lake Superior Chippewa

Ladysmith Service Center
P.O. Box 349, 1120 West Lake Ave.
Ladysmith, WI 54848

(phone) 715-532-7629
(fax) 715-532-9933
mike.koehler@wi.usda.gov

Menominee Indian Tribe and Stockbridge-Munsee Community

Shawano Service Center
603C Lakeland Road
Shawano, WI 54166

(phone) 715-524-8520 ext 113
(fax) 715-526-6121
sherrie.zenkreed@wi.usda.gov

Ho-Chunk Nation

Onalaska Service Center
1107 Riders Club Road
Onalaska, WI 54650

(phone) 608-782-0180
(fax) 608785-1739
greg.yakle@wi.usda.gov

St. Croix Chippewa

Spooner Service Center
800 N. Front Street, Room 102
Spooner, WI 54801

(phone) 715-635-8228
(fax) 715-635-3729
tom.fredrickson@wi.usda.gov

Oneida Tribe of Wisconsin

Oneida Nation Service Center
P.O. Box 365, N7332 Water Circle Place
Oneida, WI 54155

(phone) 920-869-4577
(fax) 920-869-1610
tony.bush@wi.usda.gov

Funding Pools: Only Wisconsin federally-recognized Tribes may submit applications to the WTCAC Fund Pool. The WTCAC Fund Pool is not land use specific, requiring only that the land is eligible.

In addition, Tribes may also apply to the County and Area Fund Pools. These applications will be placed in a fund pool based on the land use where the identified resource concern(s) will be treated. If the application contains multiple land uses, the application will be placed in the funding pool that covers the predominant cost of the application. Applicants may choose to apply in more than one funding pool however all practices under one application must not be dependent on practices in another application. Applications in the Beginning Farmer or Socially Disadvantaged funding pools are not land use specific.

There will be a total of eight different Area and County fund pools available to the Tribes. Tribes applying for funds under the **Farmstead, Forestland, Specialty Crops, Conservation Activity Plans (CAPS), Beginning Farmer, and Socially Disadvantaged Farmer Fund Pools** will be competing for funds within the respective Wisconsin NRCS area. Participants applying for funds under the **Cropland and Pasture** Fund Pools will be competing for funds at the county level. The area pools will use a uniform ranking system. The county pools will use their Local Working Group (LWG) ranking tool for cropland and pasture to determine funding. Below are the pools identified for the FY2013 EQIP sign-up:

Area Fund Pools	County Fund Pools
Farmstead	Cropland
Forestland	Pasture
Specialty Crops	
Beginning Farmer	
Socially Disadvantaged Farmer	
Conservation Activity Plans (CAPs)	

Ranking: Scoring of all eligible applications will be done after the application ranking period has ended. Scoring of the applications will be done according to the scoring system posted on this webpage for the appropriate funding pool(s). Applications will be selected for plan development and contracting in ranked order according to the score as funds allow. In the event of a tie score, the assign tracking code feature in ProTracts (the NRCS will assign random numbers to applications to be used as a tiebreaker).

Funding: Available EQIP funds will be allocated based on the numerical ranking system set forth on the website. All ranking will be conducted in ProTracts. If insufficient funds are available to fund all eligible applicants, applications will be held and may be funded with extra EQIP funds received later during the fiscal year, or deferred to the next ranking period.

Priority Resource Concerns: Based on the diverse and often unique nature of tribal conservation issues the following resource concerns have been identified as being the highest priority for financial assistance when utilizing the WTCAC ranking tool:

Soil Erosion

sheet and rill; classic and ephemeral gully; streambank; shoreline; road, roadside and construction sites; wind

Soil Condition

organic matter depletion; phosphorus or nitrogen contamination from animal waste or other organics

Water Quantity

excessive runoff, flooding or ponding; insufficient flows in water courses

Water Quality

harmful levels of pesticides or pathogens in ground or surface water; excessive nutrients and organics in surface or groundwater; harmful temperatures of surface water; excessive suspended sediment and turbidity in surface water

Fish & Wildlife

inadequate cover/shelter or space; habitat fragmentation; threatened and endangered (T&E) federal, state, or tribally-recognized species; T&E declining species or species of concern

Plant Condition

noxious and invasive plants; forage quality and palatability; plants not adapted or suited; productivity, health, vigor; threatened and endangered (T&E) federal, state, tribally-recognized species; T&E declining species or species of concern

Domestic Animal

inadequate stock water; stress and mortality

Air Quality

objectionable odor; excessive greenhouse gasses (CO₂ or CH₄); excessive ozone

Energy

inefficient energy use of farming/ranching practices, field operations, facilities or equipment

Note:

See the individual County process on the WI NRCS web site for a local list of priority resource concerns if funding is sought through a County Fund Pool.

Ranking Tool Summary for FY2012 - WTCAC (Released 12/21/2011)

Description:

This scoring tool is for use in evaluating applications in the Wisconsin Tribal Conservation Advisory Council (WTCAC) Funding Pool.

Land Uses:

Crop, Forest, Hay, Headquarters, Pasture, Water, Wildlife

Efficiency Score:

Scoring Multiplier: 100.000

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
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Optional Notes:

National Priorities:

Scoring Multiplier: 1.000

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
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Questions:

Number	Question	Points
1	a. Meet regulatory requirements relating to animal feeding operations, or proactively avoid the need for regulatory measures?	15
1	b. Reduce sediment, nutrients or pesticides from agricultural operations located within a field that adjoins a designated impaired water body?	10
1	c. Reduce sediment, nutrients or pesticides from agricultural operations located within a field that adjoins a water body?	5
2	a. Increase groundwater recharge in identified groundwater depletion areas (http://water.usgs.gov/ogw/rasa/html/TOC.html)?	15
2	b. Conserve water from irrigation system improvements and result in estimated water savings of at least 5% and saved water will be available for other beneficial uses?	10
2	c. Conserve water in an area where the applicant participates in a geographically established or watershed-wide project?	5
3	a. Meet regulatory requirements relating to air quality or proactively avoid the need for regulatory measures?	15
3	b. Reduce green house gases such as methane, nitrous oxide, and volatile organic compounds (VOC)?	15
3	c. Increase carbon sequestration?	5
4	a. Reduce erosion to tolerable limits (Soil "T")?	15
5	a. Benefit threatened and endangered, at-risk, candidate, or species of concern as identified in a State wildlife plan?	15
5	b. Retain wildlife and plant benefits on land exiting the Conservation Reserve Program (CRP)?	15
6	a. Eradicate or control noxious or invasive species?	10
6	b. Increase, improve or establish pollinator habitat?	10
6	c. Implement precision agricultural methods?	10
6	d. Properly dispose of animal carcasses?	5
6	e. Implement an Integrated Pest Management plan?	5
7	a. Reduce energy consumption on the agricultural operation?	15
7	b. Increase on-farm energy efficiency with more efficient equipment?	10
7	c. Assist in implementing energy conservation measures that reduce emissions from GHGs and air pollutants?	10
8	a. Implementation of all planned conservation practices within three years of contract obligation?	10

8	b. Improvement of existing conservation practices or conservation systems already in place at the time the application is accepted, or will complete an existing conservation system?	10
9	a. If the applicant has an existing EQIP contract, has it been, and is it now, on schedule and in full compliance?	5
9	b. Did the applicant successfully complete any past contract(s) in full compliance?	5
9	c. Is this the applicant's first EQIP application?	5
Total Points		250

State Issues:

Scoring Multiplier: 1.000

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
---	---	---

Questions:

Sub-heading Number	Question Number	Question	Points
	1	Will this application result in a contract that will leverage other partnerships or funds?	50
	2	Are all active EQIP contracts for this applicant on schedule and in full compliance with no modifications completed due to a delay in implementation, except those beyond participant's control?	25
	3	Does this application have WTCAC approval?	250
	4	Is it imperative that the practices on this application are completed within the upcoming construction season?	50
	5	Will at least one practice on this application enable the applicant to address one or more identified concerns in a Tribal long range plan?	25
Maximum Points:			Total Points
			400

Local Issues:

Scoring Multiplier: 0.100

Scoring Ranges and Results Text:

Consult the Designated Conservationist.	Consult the Designated Conservationist.	Consult the Designated Conservationist.
---	---	---

Questions:

Sub-heading Number	Question Number	Question	Points
1		Soil Erosion	
	1	Will sheet and rill erosion be addressed by any practice on this application?	65
	2	Will ephemeral gully erosion be addressed by any practice on this application?	65
	3	Will classic gully erosion be addressed by any practice on this application?	65
	4	Will streambank erosion be addressed by any practice on this application?	65
	5	Will shoreline erosion be addressed by any practice on this application?	65
	6	Will wind erosion be addressed by any practice on this application?	65
	7	Will road, road side or construction site erosion be addressed by any practice on this application?	65
2		Soil Condition	
	8	Will organic matter depletion be addressed by any practice on this application?	65
	9	Will nitrogen contamination from animal waste or other organics be addressed by any practice on this application?	65
	10	Will phosphorus contamination from animal waste or other organics be addressed by any practice on this application?	65
3		Water Quantity	
	11	Will excessive runoff, flooding or ponding be addressed by any practice on this application?	65
	12	Will insufficient flows in water courses be addressed by any practice on this application?	65
4		Water Quality	
	13	Will excessive nutrients (N,P or K), organics, or pathogens in the groundwater be	65

		addressed by any practice on this application?	
	14	Will excessive nutrients (N,P or K), organics, or pathogens in the surface water be addressed by any practice on this application?	65
	15	Will harmful levels of pesticides in the groundwater be addressed by any practice on this application?	65
	16	Will harmful levels of pesticides in the surface water be addressed by any practice on this application?	65
	17	Will excessive suspended sediment and turbidity in surface water be addressed by any practice on this application?	65
	18	Will harmful temperatures of surface water be addressed by any practice on this application?	65
	19	Will a direct conduit to groundwater be addressed by any practice on this application?	65
5		Plant Condition	
	20	Will forage quality and palatability be addressed by any practice on this application?	65
	21	Will noxious and invasive plants be addressed by any practice on this application?	65
	22	Will plant productivity, health and vigor be addressed by any practice on this application?	65
	23	Will plants not adapted or suited be addressed by any practice on this application?	65
	24	Will threatened or endangered plant species (Fed,State,Tribal) be addressed by any practice on this application?	65
	25	Will threatened or endangered plant species (declining species or species of concern) be addressed by any practice on this application?	65
6		Fish and Wildlife	
	26	Will inadequate cover or shelter for fish or wildlife be addressed by any practice on this application?	65
	27	Will inadequate space for fish or wildlife be addressed by any practice on this application?	65
	28	Will fish or wildlife habitat fragmentation be addressed by any practice on this application?	65
	29	Will threatened or endangered fish or wildlife species (Fed,State,Tribal) be addressed by any practice on this application?	65
	30	Will threatened or endangered fish or wildlife species (declining species or species of concern) be addressed by any practice on this application?	65
7		Air	
	31	Will objectionable odors be addressed by any practice on this application?	65
	32	Will excessive CH4 (methane) be addressed by any practice on this application?	65
	33	Will excessive CO2 (carbon dioxide) be addressed by any practice on this application?	65
	34	Will excessive ozone be addressed by any practice on this application?	65
8		Domestic Animal	
	35	Will inadequate stock water for domestic animals be addressed by any practice on this application?	65
	36	Will domestic animal stress and mortality be addressed by any practice on this application?	65
9		Energy	
	37	Will energy inefficiency of farming/ranching practices or field operations be addressed by any practice on this application?	80
	38	Will energy inefficiency of equipment or facilities be addressed by any practice on this application?	80
		Maximum Points:	
		Total Points	2500

Selected Resource Concerns and Practices:

- Air Quality: Excessive Greenhouse Gas - CH4 (methane)
 - Anaerobic Digester, Controlled Temp. (366)
 - Animal Mortality Facility (316)
 - Nutrient Management (590)
 - Solid/Liquid Waste Separation Facility (632)
 - Tree/Shrub Establishment (612)
 - Waste Facility Cover (367)
 - Waste Treatment (629)
 - Windbreak/Shelterbelt Establishment (380)
 - Windbreak/Shelterbelt Renovation (650)
- Air Quality: Excessive Greenhouse Gas - CO2 (carbon dioxide)
 - Access Control (472)

State Questions (applies only to WTCAC ranking tool)

- 1) Will this application result in a contract that will leverage other partnerships or funds?

Partnership: In kind services from other agencies, NGO's, or other entities other than the applicant Tribe.

Funds: Dollars from other agencies, NGO's, or other entities other than the applicant Tribe.

The Tribe should submit documentation of other funds.

- 2) Are all active EQIP contracts for this applicant on schedule and in full compliance with no modifications completed due to a delay in implementation, except those beyond participant's control?

Examples of delays beyond participant's control: weather-related delays, cultural resource issues, threatened/endangered species issues, designs not completed (from a provider other than participant).

- 3) Does this application have WTCAC approval?

The project and costs were approved by motion.

- 4) Is it imperative that the practices on this application are completed within the upcoming construction season?

This implies "other" funding for the project will be lost if not completed within the upcoming construction season, or due to the critical nature of resource concerns that needs to be addressed immediately to reduce the likelihood of further resource degradation.

Could indicate resource problem just occurred or was just discovered.

- 5) Will at least one practice on this application enable the applicant to address one or more identified concerns in a Tribal long range plan?

Long-range plans are any multi-year, tribally-approved plans including Forest Management Plans, Watershed Plans and Integrated Resource Management Plans.

WTCAC Meeting
August 9, 2012
Red Cliff

Year to date program utilization

	<u>Allocation</u>	<u>Obligated</u>	<u>Projects</u>
Direct CF Loan	\$21,373,563	\$14,914,000	5
CF Grant	\$ 246,300	\$ 245,975	7
CF EII Funds	\$ 105,300	\$ 105,300	3
Guaranteed CF	\$ 5,500,000	<u>\$ 5,500,000</u>	2
TOTAL CF		\$20,765,275	

Tribal projects – 1 grant (Tribal college grant not included as not obligated yet)
Grants were used for community equipment (brush truck, mowers, county truck/w salt hopper, plow truck, squad car), daycare initiative (playground equipment), library equipment and furnishings, generator and radios for fire department, renovation of community center, health care equipment.
Future – limit grants to initiatives (Know your farmer, know your food; library, childcare, healthcare (electronic records), fire protection and public safety).

Several large CF combination direct and guaranteed loans for assisted living facilities.

No current applications from Tribes.

	<u>Allocation</u>	<u>Obligated</u>	<u>Projects</u>
WW Loan	\$17,066,000	\$21,868,850	19
WW Grant	\$ 7,340,000	<u>\$ 6,871,420</u>	15
Total		\$28,740,270	

No tribal projects. 2 grants were search grants limited to \$25,000 which can be used for planning purposes. There are 306-C tribal set aside funds for this program.

No current applications from Tribes

SUTA provisions may provide some additional opportunities for Tribes

Business Programs	<u>Funded</u>	<u>Projects</u>
IRP	\$ 380,000	1
REDLG	\$ 1,000,000	1
VAPG (2011 funding)	\$ 6,852,565	25
RBEG	\$ 651,769	7 (3 Tribal)
Energy	\$ 580,448	15
Guaranteed B&I	<u>\$21,729,280</u>	9
TOTALS	\$31,194,062	

RBOG program application period just closed.

VAPG NOFA is not out yet – Rumor are there is an Administrative Notice in clearance that further defines eligibility criteria which may help Tribes to be eligible.

FAC Meeting (Food and Agricultural Council Meeting) for Tribal Chairpersons or their designee – to be held in Stevens Point on Tuesday September 11, 2012 – exact location TBD. The meeting starts at 11:00 and typically runs 1- 2 hours. This is a management meeting of the heads of the USDA agencies. Teleconference will be available. Please let me know prior to the meeting if Tribal Chairs will be calling in.

What can WTCAC do to help increase Tribal utilization of programs:

- 1) Spread the word about different programs within community. If there are barriers other than regulatory changes – contact me so we can discuss.
- 2) Encourage staff to contact me to be directed to specific program specialist if they are interested in a particular program.
- 3) Business programs and highly subscribed. Put thought into application and structure to obtain highest point scoring.

Wisconsin Tribal Technical Service Provider Pilot Project

USDA Natural Resources Conservation Service College of Menominee Nation, Keshena, Wisconsin

This project was established through a grant from the USDA Natural Resources Conservation Service to identify and train tribal members who are interested in becoming certified Technical Service Providers (TSP) for NRCS conservation programs. The College of Menominee Nation (CMN) entered into an 18-month agreement with NRCS in Wisconsin to establish a cadre of certified TSPs who will be able to carry out selected conservation practices funded through NRCS conservation programs, such as the Environmental Quality Incentives Program.

As of August, 2012, CMN is on track in completing the 18-month plan of work. Thirteen TSP candidates from five tribes have attended the required Conservation Planning Training. Two sessions were conducted, one on Feb. 22-24 at Keshena, and one on March 20-22 at Lac Courte Oreilles on the western side of Wisconsin. The training involved 2 days of classroom and 1 day in the field.

The next steps are for TSP candidates to prepare the sample plan required as part of the TSP certification, and to register in the TechReg website. In order to facilitate and encourage candidates to move ahead, CMN hosted a webinar for candidates to work through the sample plan. CMN had never hosted a statewide webinar before and have successfully added this new capability at the college.

The webinar was held July 26 with six participants and hosted by CMN. CMN recorded the webinar and posted it on their website for others to view and for reference.

http://www.menominee.edu/webinars/2012-07-26_NewMeeting.wmv

An additional webinar will be held for those who could not participate in the July 26 session. For more information, contact:

Renae Anderson, Tribal TSP Agreement Manager
Public Affairs and Outreach
USDA Natural Resources Conservation Service Madison, Wisconsin
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Aug. 8, 2012



Participants at the Tribal TSP Training session in Keshena in the Menominee Forest. NRCS State Biologist Steve Bergjens (in the blue jacket) and NRCS Forester Greg Rebman (far right) conducted the training for the eight participants attending this session



Greg Rebman (center), WI NRCS Forester, talking with two tribal foresters during the field portion of the conservation planning training in Keshena at the Menominee College.



U.S. Department of Agriculture
Natural Resources Conservation Service

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Wisconsin



Chris Caldwell, forester from Menominee, talking about tribal forest resources, issues and practices at the training session.

Wisconsin Tribal Conservation Advisory Council

Strategic Plan

August 2012

INTRODUCTION:

Established in 2001, the Wisconsin Tribal Conservation Advisory Council (WTCAC) is an incorporated, non-profit organization that provides a forum for eleven (11) Native American Tribes in Wisconsin to identify and solve natural resource issues on Tribal lands. We are a Council that gives a voice to our Tribes of Wisconsin on conservation issues that are important to us at the state and national levels.

Tribal Conservation Advisory Councils were first authorized in the 1995 Farm Bill as advisory bodies to Natural Resources Conservation Service (NRCS) and all of US Department of Agriculture (USDA) on Tribal issues. WTCAC was the first such council formed in the country. In 2008, WTCAC was formally recognized as an official Tribal technical committee to the NRCS State Conservationist. As a technical committee, we advise the State Conservationist on standards, practices, and scenarios pertinent to the unique natural resource needs of the Tribes.

In addition to NRCS, WTCAC meets regularly with the Farm Service Agency (FSA), Animal and Plant Health Inspection Service (APHIS), Rural Development (RD), Forest Service (FS), Environmental Protection Agency (EPA), Fish and Wildlife Service (FWS), and Bureau of Indian Affairs (BIA) to facilitate communication regarding conservation issues and practices on Tribal lands across the state. Recently, WTCAC has taken on the role of the Wisconsin Tribal Caucus to EPA.

VISION:

Natural resources of reservations in Wisconsin will become world renowned as being ecologically sustainable while meeting the needs of our communities.

MISSION:

Make Federal conservation programs work on Tribal lands through government to government education and demonstration.

WTCAC Goals and Objectives

Goal 1. Technical and Program Recommendations

Provide recommendations to Federal agencies regarding how their programs can work better from a technical standpoint on tribal lands.

Objective 1.1. Track, implement, and document the successes of all special project efforts to improve access to Federal programs.

Objective 1.2. Function as a Tribal Technical Committee to the NRCS State Conservationist.

Objective 1.3. Function as the Wisconsin Tribal Caucus to the Region 5 Tribal Operations Committee.

Goal 2. Policy Assistance

Provide recommendations to Federal agencies on how Federal programs can work better from a policy standpoint on Tribal lands.

Objective 2.1. Establish and maintain a presence on the Regional Tribal Conservation Advisory Council.

Objective 2.2. Advocate for the establishment of a National Tribal Conservation Advisory Council to work directly with the Secretary of Agriculture.

Objective 2.3. Improve communications with other Tribal Conservation Advisory Councils, Tribal Conservation Districts, Intertribal Agriculture

Council (IAC), and the Indian Nations Conservation Alliance (INCA) in order to improve outcomes nationally.

Objective 2.4. Actively participate in the development of a Tribal Title to the Farm Bill as well as other National, Regional, and Local Policies and Rules.

Objective 2.5. Develop policy analysis capability.

Goal 3. Facilitate Information Sharing and Tribal Capacity Building

Serve as a conduit for information sharing between individual Tribal Governments, Federal Government agencies, and Tribal General Public in order to improve outcomes. Assist in Tribal capacity building through outreach and education.

Objective 3.1. Plan and implement training, educational, and demonstration workshops.

Objective 3.2. Demonstrate WTCAC's successes on a regional and national level.

Objective 3.3. Provide internship opportunities for Tribal students.

Objective 3.4. Conduct regular WTCAC meetings with Federal and state agencies to facilitate information exchange.

Goal 4. Energy Production and Conservation

Act in a planning and liaison role to facilitate the implementation of emerging energy technologies and Federal energy programs on Tribal Lands in Wisconsin.

Objective 4.1. Plan and implement strategies for coordinated Tribal alternative energy production.

Objective 4.2. Plan and implement strategies for coordinated Tribal energy conservation strategies.

Goal 5. Organizational Development

Improve organizational structure and capacity.

Objective 5.1. Maintain the Wisconsin Tribal Conservation Advisory Council as a legal entity.

Objective 5.2. Establish WTCAC Operational Standards Handbook.

Objective 5.3. Maintain critical staff.

Goal 6. Sustainable Funding

Secure the funding needed to successfully achieve WTCAC goals.

Objective 6.1. Develop a funding plan that addresses funding levels needed for different organization levels.

Objective 6.2. Use funding plan to acquire funding to support WTCAC goals.

Objective 6.3. Develop and implement fundraising strategies.