

Natural Resources Conservation & Development Board  
Meeting Minutes

Thursday, June 16, 2011 at 8:30 a.m.

This meeting was held by teleconference.

*Board members in attendance:*

George Woodbury  
Cheryl Thompson  
Carol Kenley  
Al Poindexter

*Others in attendance:*

Shana Joy, Executive Director, NRCDB	Joan Hope, AACD
Franci Havemeister, Director Div. of Ag.	Ryan Stencil, Anchorage SWCD
Bryce Wrigley, Salcha Delta SWCD	Jerry Norum, Fairbanks SWCD
Steve Hicks, AACD	Joni Scharfenberg, Fairbanks SWCD
Ken Marsh, AACD	Michael Paschall

1. Call to Order – Determination of Quorum

It was determined that a quorum was present and the meeting was called to order by George Woodbury at 9:00 a.m.

2. Approval of Agenda

Agenda unanimously approved.

3. Approval of April 14, 2011 Meeting Minutes

**Cheryl moved to approve the minutes as presented. Al seconded the motion. The motion carried.**

4. Executive Director Report

- a. Shana sent a letter to the Kenny Lake board on April 15<sup>th</sup>. A written response has not been received but Shana has been in contact with Eric Veach, the Chair of that board, and he is working to set up a meeting soon that Shana will attend.
- b. The appropriation for the NRCDB for FY12 is the same as last year (\$114,700) and half of Shana's salary will continue to come from that budget. In the capital budget bill there are currently several items for soil and water conservation districts:
  - \$500,000 for AACD
  - \$15,000 for Kodiak SWCD, Farm to School Program
  - \$10,000 for Fairbanks SWCD, invasive weeds projects
  - \$50,000 for Fairbanks SWCD, Chena Slough project
- c. A draft FY12 cooperative agreement between DNR and the districts was presented. It was proposed that \$2,500 be allocated to each cooperative

agreement this year. **Al moved to approve the agreement as presented. Cheryl seconded the motion. The motion carried.**

- d. District maps were discussed.
  - **Al moved to advise the Kenai and Homer districts to consider expanding their boundaries to encompass all of the Kenai Peninsula Borough. Cheryl seconded this motion. The motion carried.** Shana will contact these two districts with this recommendation.
  - **Al moved to approve the district boundaries as presented on the maps. Cheryl seconded the motion. The motion carried.**

## 5. AACD Report

- a. Alaska district activity. Steve Hicks said that there had not been much activity for the Alaska district with the exception of the payment of the final AlaskaLink invoice.
- b. Some discussion about the Alaska district website. Steve said that the Alaska SWCD website is not linked to the AACD site. A new one would need to be created for the SE district when it is formed.
- c. Ken asked what is the status of the Alaska SWCD; will this district receive a portion of the funds as was the practice in the past. Al asked Shana to explain. Shana explained that the AK district has ceased to exist as a separate entity from the NRCDB and that the AK district would not be receiving a share of the state funds that may be appropriated for FY12. While the NRCDB governs the unorganized area of Alaska, they are not functioning as a district proper.
- d. Al asked what would happen in someone from Nome needed assistance or wanted to enroll in a program but there is no district in that area; AACD would direct them to a nearby district to provide those services. NRCDB is still responsible for the unorganized area. AACD is acting as a clearinghouse for contacts to help landowners get the assistance they need.
- e. Cheryl asked if the districts that perform the work or provide the assistance, have to pay for that out of their own funds. Al thinks that the NRCDB should still receive a share of the funds, to allocate to districts who are doing the work. AACD is in control of those state funds; the NRCDB can request that AACD hold a portion aside or allocate the funds differently.
- f. Al and George believe that the initial intent was for AACD to hold the 12<sup>th</sup> share of the state funds to help districts cover the work they do in the unorganized area. Al would like to reimburse AACD for the administration work they perform.
- g. Steve Hicks pointed out that a SE district is in the process of being formed which would be a 13<sup>th</sup> district, along the lines of this viewpoint. Steve pointed out that this structure for state funds allocation would need to be taken up by the AACD board and that other fund sources may also be available/used for this work.

- h. Al does not expect organized districts to expend their own funds to do work outside of their district boundaries. Some funds should be available to offset their costs.
- i. George asked AACD to take a look at the mechanics of it. Shana pointed out that once the funds are known to be appropriated to AACD, she and Steve would work together on a plan for managing the funds.

6. Fairbanks SWCD Projects outside of district boundaries

- a. Joni Scharfenberg gave an overview of work that the Fairbanks district is doing under the MOU with the NRCDB.
- b. The district has a couple of contracts with USFWS (Minto and North Slope Borough) for schoolyard habitat restoration projects. Just need final approvals for these grants and work can begin. There is money available for travel to the various locations in the grants. Joni is very excited about this; taking natural resource education to those areas.
- c. The district has had requests from the Ruby area as well for assistance. Also working in Ft. Yukon in partnership with the RC&D but that is uncertain at this point. Also Circle, Central, and Manley are close to the Fairbanks districts and they are considering expansion to include those areas that are pretty close anyway.
- d. Cheryl is interested in the schoolyard habitat project. Joni will keep Cheryl in mind for a contact in Nome.

7. Memorandum of Understanding with Soil and Water Conservation Districts

- a. Kodiak, Salcha Delta, Upper Susitna, Palmer and Mid Yukon Kuskokwim
- b. Al asked if the MOUs are for working in the Alaska district. Yes, the MOU will give these districts the ability to do the work but no projects are currently pending.
- c. **Al moved to approve the MOUs as presented. Cheryl seconded. The motion carried.**

8. Southeast Alaska Conservation District Formation

- a. Discussion:
  - Joan Hope went over the written report she provided to the board including her reimbursement request for travel expenses.
  - George reported on Gary Morrison's behalf. Gary has not had much luck contacting the current cooperators. The village corporations are no longer in need of a conservation district to get assistance with forest management projects; they are now available to get this assistance directly from NRCS for EQIP and WHIP programs. There isn't much remaining benefit to the corporations

to participate in the formation of a conservation district. Renewed contact is needed with the cooperators signed up prior to Joan starting work on this project.

- Al mentioned that an oyster cooperative meeting would be a good time to make contacts and that other farmers are in the SE area that may be potential cooperators. Gary Morrison has not submitted any reimbursement requests at this point.
- Al said that maybe the new district could be formed by early winter 2011. Joan is willing to continue working on this project.
- George asked for an update on Joan's work at the next NRCDB meeting.
- Al asked for back-up information regarding the new cooperators that Joan signed up. George said that the cooperator agreements were included in the meeting packet with that information.
- Cheryl said that if the cooperator's agreements are completed, there is no reason not to approve them.
- Potential new district boundaries could follow the game management unit boundaries. A map will be included in the next meeting packet.

b. Action:

- **Cheryl moves to approve the new cooperators presented. Al seconded. The motion carried.**
- **Cheryl moved to approve reimbursement to Joan for her travel expenses. Al seconded. The motion carried.**

9. AS 41.10 Draft

- a. Shana asked the board for comments and feedback on this draft.
- b. Al had a couple of comments:
  - Good job to Shana on this draft.
  - Soil and water conservation districts were formed for the purpose of providing assistance to others locally with best practices. NRCS was not able to operate in any state without the existence of SWCDs, in order for landowners to participate in federal programs they did have to be cooperators with the local SWCD. The current Farm Bill changed that rule and now contact with SWCDs is not required. Al is concerned that NRCS is not working through SWCDs as originally intended and is it possible to include language in the statute to reflect such a requirement?
  - Al's prior experience with the Homer board was that the Homer district prioritized NRCS' work in the Homer district but that isn't the case any longer. Al would like to involve NRCS in the work on this statute and he would like to be included in a face to face meeting with NRCS.
  - Shana has been working with the Dept of Law on this project and will discuss this point with them.

- Al also spoke about a disconnect between SWCDs and their cooperators and would recommend that a requirement for districts to contact their cooperators at set intervals be included in the statute. Shana explained that contact with cooperators practices is currently included in the District Operations Manual which is mentioned in the draft statute as rules adopted by the NRCDB for day to day operations of SWCDs. This topic might be a good workshop for the fall AACD conference.
  - Al remarked on item #11 under the Powers of Districts section page 6, recommending the addition of the language “non-profit” in regards to AACD. AACD accesses funding for districts that are only available to non-profit organizations.
  - Also, Al asked about 41.10.115 (3), what is the intent of this language? Shana explained that contracts or agreements between the AACD and the SWCDs should be directly allowed and exempt from the procurement rules. The SWCDs would not be required to follow a bid process to secure employer services. Al is not comfortable with a contractor performing the services that a district manager may otherwise do; the contractor is not under the direction of the district board as a district manager is. There is no flexibility in such a contract. George pointed out that contracts can usually be amended. Al does not believe that districts should contract for professional services because it violates IRS rules of an employee vs. a contractor relationship. Shana will do research on this topic; she believes there is an AAG opinion on this matter already
- c. Cheryl also spoke about NRCS doing work in her area but there is no SWCD in the Nome area. NRCS working with SWCDs would be good.
  - d. Al further remarked that NRCS should be offering the opportunity to become a cooperator with a local SWCD to landowners participating in their programs. Currently, NRCS is not promoting SWCDs.

#### 10. District Annual Work Plans

- a. Al would like to discuss the work plan format differences. He received 8 work plans in the meeting packet.
- b. Shana has heard from Kenai SWCD’s chair and Kerry is putting together the annual work plan; she thought their prior district manager had already completed it. Shana accidentally left Upper Susitna’s work plan out of the packet. It will be included in the next meeting’s packet.
- c. Palmer district’s work plan is a 1-page Excel spreadsheet. The DOM calls for a memorandum format for the annual work plan but Shana has accepted the Excel format in the past. Al pointed out the large difference in level of detail between the plans submitted. Al also does not notice funding for basic operations in Palmer’s annual work plan. Shana does not see an unrestricted funds line in Palmer’s annual work plan. The source of funds for the projects were clear to Shana by the titles of the project except

for the Envirothon which is assumed to be unrestricted funding the district has available. Shana asked Al if he would request a revised work plan from Palmer. If Palmer's Excel format is acceptable, why don't all of the districts do it this way?

- d. Al mentioned that districts should share their fundraising methods and successes so that all the districts can use these techniques, maybe a workshop at AACD's meeting would be a good idea. Steve and Shana will work on this idea.
- e. Shana will work on a new format for the annual work plan for the next NRCDB meeting and work with Steve Hicks at AACD.
- f. Al asked what AACD expects from district annual work plans. Steve Hicks said that annual work plans are used as supporting documents for seeking funds so a high level of detail is best. Steve hasn't seen Palmer's annual work plan yet. AACD's expectations for an annual work plan should be the same as the NRCDB expectations to avoid duplication of work.
- g. **Al moved to approve the plans presented. Carol seconded. The motion carried.**

#### 11. Board Comments

- a. Apologies all around for the start time of the meeting mix-up.
- b. Al brought up the EPA Clean Water funds topic from the last meeting. Shana said that the Dept of Environmental Conservation currently administers a grant program for those funds but there hasn't been an opportunity to discuss it with the Commissioner's office as to how the districts could access the funds in other ways. Al recommended a workshop for districts on this grant program at the next AACD meeting; Shana will work on it.

#### 12. Public Comments

- a. Ken Marsh – tremendous great effort by everyone in contacting legislators for state funding support. Ken would like to be involved in the meeting with NRCS. Shana will set it up.
- b. Michael Paschall commented regarding access to the meeting materials. He said there is nothing on the website this time and that he'd like the material posted to the website by the end of the day today. Shana will fax the material to him.
- c. Bryce Wrigley – In the review of AS 41.10, is there a way of including the ability for districts to own property. Language has been added to the current draft regarding ownership of property by districts.
  - Does not believe that it is legal to bind a federal agency to state statute but if something could be agreed that required folks to have an approved state conservation plan before applying for any NRCS programs, that would be good. Unrestricted district funds

mentioned in the annual work plans could come from contracts with businesses or public entities.

- d. Jerry Norum commented that this has been a very productive meeting, He would like to address the draft of AS 41.10 – the progress made is tremendous, the follow through of getting it through the entire process will take some work by everyone, cooperation by AACD & NRCDB is refreshing and the working relationship is very good. Districts being able to reach out and assist folks outside of their own district boundaries and being able to receive funds to do so is very good. Work done on the ground and the educational programs (by districts) are great resources for securing other funding, and please include the district managers - they have the info, energy, and resources.

13. Next Meeting Date and Location

- a. To be determined pending receipt of the remaining annual work plans and next draft of the statute, perhaps near the end of August. Cheryl would like to hear from Kenny Lake SWCD before the next meeting as well.

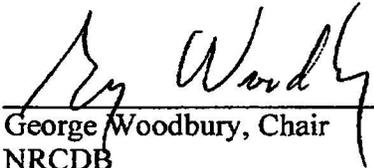
14. Adjournment

Meeting adjourned at 10:42 a.m.

Minutes taken by:

Minutes approved by:

  
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Shana Joy, Executive Director  
NRCDB

  
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George Woodbury, Chair  
NRCDB