

Natural Resources Conservation & Development Board
Meeting Minutes

Tuesday, December 6, 2011 at 9:00 a.m.

This meeting was held by teleconference.

Board members in attendance:

Cheryl Thompson

Carol Kenley

Al Poindexter

Others in attendance:

Shana Joy, Executive Director, NRCDB

Ed Fogels, DNR Deputy Commissioner

Steve Hicks, CAO AACD

Ken Marsh, President AACD

Joan Hope, AACD

Ryan Stencel, Anchorage SWCD

Joni Scharfenberg, Fairbanks SWCD

1. Call to Order – Determination of Quorum

It was determined that a quorum was present and the meeting was called to order by Al Poindexter at 9:05 a.m.

2. Approval of Agenda

Shana noted that Ed Fogels would be joining the meeting late. Al said that he would be added to the agenda whenever he is able to join the meeting as well as Joni Scharfenberg with an activities update. **Carol moved to approve the amended agenda; Cheryl seconded the motion. The motion carried.**

3. Approval of October 15, 2011 Meeting Minutes

Carol moved to approve the minutes as presented; Cheryl seconded the motion. The motion carried.

4. Executive Director Report

Shana provided a report on the status of the board's website redesign. Two informal quotes were received for the work. Alaska Web Designs scored higher than the other bidder and the cost proposed was \$3,500. The funds are available in the board's budget. The other bidder quoted \$3,150 for the cost but scored lower on the methodology and qualifications/experience rankings. **Carol moved to proceed with the website upgrade contract with Alaska Web Designs. Cheryl seconded. The motion carried.**

Shana also reported on the distribution status of the two board resolutions which were passed at the October meeting. The resolutions have been provided to the Governor's office and the Commissioners but have not been provided to the legislators. The NRCDB is a Governor's appointed board and distributing the resolutions to the legislature may be taken as attempting to work around the Governor. Al would like to know how the board is supposed to make their positions known to the public, including the legislature. Al asked Ed for advice. Ed pointed out that the board should work through the Governor's

office and follow their guidance; Ed will request additional guidance from the Governor's office. Shana will hold off posting the resolutions online pending a response from the Governor's office.

5. Statute Status Report

Ed Fogels apologized for joining late but he is glad to be on the call. He reported on the progress of AS 41.10; weekly meetings with the Dept of Law attorneys have been occurring. The more the draft language is examined by the attorneys, the more concerns arise. The legal status of the districts is still not clear and the language needs more work. How to address the procurement, insurance, and inventory issues are not fully dealt with. Ed will continue to commit time to moving this progress forward but he would like board involvement as well and suggests a sub-committee of the board to participate in the discussions.

Al suggested that the Dept of Law consider the Roosevelt model law which is what the other states soil and water conservation laws is based upon and write a new law that fits our constitution. Ed is working to fully engage the Dept of Law as much as possible to move this project forward. Al suggested that the work-group solicit comments from the districts as much as possible and look to other state's statutes as well.

Ed stressed that re-writing the statute is not on the back-burner and he is committed to seeing it through and will push hard on it. Al would like to see the districts be able to continue doing the work they are doing. Ed recognizes the value of the districts and believes that a clear statute of their authorities and roles can only help them seek funding. Al noted that it is very important for the districts to be able to accept funds and donations from anyone; that is part of their strength. Ed pointed out that it is important that the districts not become more like a state agency with the inflexibility which could result. Al agreed. Al asked that Shana keep the board informed of the progress in the work.

Al asked if any legislators were known to be reviewing the statute as well. Ed has been contacted by Rep. Feige. Al thinks it would be a good idea for the Dept of Law and the legislature's legal counsel to work together on the review in a collaborative effort to try and streamline the process.

Ken Marsh commented that Joe Thomas from Fairbanks and Senator Coghill have been provided with a draft of the statute re-write and have consulted with the legislative legal advisers as well. AACD also spoke with Jeff Jones in the Governor's office about the project. He would like to remain informed so that we can all work together towards a common goal.

Ryan Stencil asked if AACD is trying to get a bill introduced this session. Al responded that the hope is that the Governor's office or a legislator will introduce a bill. Ed pointed out that the current draft needs a lot of work by the Dept of Law but this session will be an interesting one and is the second session. Its probably not an ideal time to introduce this in the legislature. Ed will keep pushing the work forward but the chances are greater that it will be ready in time for the 2013 session.

Joni Scharfenberg would really like to see someone from the NRCDB participate in the working group especially for the historical perspective that the NRCDB can offer. Joni also mentioned that upcoming district showcase for legislators and should they not mention the statute re-write. Ed has answered some questions from Rep. Feige regarding the statute and there seems to be interest in sorting out the issues surrounding the districts. Al said that some of the district supervisors have been involved for 20-30 years and would probably gladly offer their input. Shana will be a liaison between the board and districts and the working group to provide and solicit input/information. Ed would like to figure out a way to better message, in a short format, the work that districts do.

6. Fairbanks – Alaska District Report

Joni Scharfenberg provided a report on the work that the Fairbanks district is doing in the Alaska district areas. The Fairbanks district is working in several areas on schoolyard habitat projects with the USFWS. Joni asked what form to provide to potential new cooperators for the Alaska district; Joan Hope has an updated version and will send it around. Shana said that new Alaska district cooperators could gather and petition to form a new district, become Alaska district cooperators and be serviced by the Fairbanks district, or the Fairbanks district could consider expansion. Joni also invited everyone to the annual Fairbanks district showcase. It is December 13th from 1:30 to 4:30 p.m.

7. State Technical Committee & Local Working Groups Discussion

There was a State Technical Committee meeting on November 16, 2011 but Shana was not able to attend and would like to know if anyone on the board would like to attend future meetings. Also, how are districts currently interacting with local working groups and NRCS?

Ryan Stencil spoke for the Anchorage district; they only recently discovered that they were supposed to be participating/leading a local working group. They have not done so in recent history.

Joni Scharfenberg spoke for the Fairbanks district; they are involved in their local working group but their role has been uncertain in the past. NRCS took input regarding local natural resource priorities at a recent LWG meeting. The district can invite anyone they'd like to LWG meetings. Joni is not sure how the input has been used by NRCS; about 25 people attended the most recent meeting. Al asked if a priority list was generated from the meeting. Joni wasn't sure how NRCS has used the information but she will ask their district conservationist about that. Al said that the LWGs are supposed to provide their priorities to the State Technical Committee to then put together all of the LWGs priorities and provide them to NRCS. Al would like to have a discussion with the State Conservationist at a future NRCDB meeting.

8. Southeast Alaska Conservation District Formation Report

Joan Hope provided a report on her efforts to recruit cooperators and gather signatures on the district formation petition. She made a recent trip to Juneau contacting people. Joan is working on cleaning up the paperwork and details; she is short 2 signatures on the petition. Beth Kertulla is interested in participating in the new district. Joan made

contacts with local federal agency representatives in that area regarding a CWMA in southeast as well as possible work for a new district.

Al asked Joan about some missing information on the cooperator forms; there was no property description/legal description of the land in question for each cooperator. It is important to ensure that each cooperator satisfy the requirements to become a cooperator. Joan can find the missing information from public property records. A couple of subsistence cooperators have been signed up, from Sitka. A cooperator needs to be a steward of the land and it doesn't sound like a person harvesting wild products from the sea would qualify. Joan believes that such a cooperator has been accepted before. A correlation would need to be made between a subsistence user and a 'producer of renewable resources' according to the statute. At this point, the connection is unclear. NRCS has made a determination regarding subsistence but districts interpret the definition of a cooperator differently. Al would like to see that ironed out for consistency.

Carol moved to approve reimbursement of Joan's expenses per her report. Cheryl seconded. The motion carried.

9. Resource Development Council Membership

Carol asked for this agenda item. Would the board like to renew this membership? The cost for annual membership is \$500. The breakfast meeting schedule was provided to the board as printed from the RDC website. Carol would like to see the board renew membership in the RDC and she would like to make more time to attend some of the events. Al is supportive of the membership renewal if someone is really going to commit to attend the events. Shana will receive and distribute the RDC newsletter and is willing to work with Carol to cover the events.

Cheryl moved to pay for the membership. Carol seconded. The motion carried.

10. Spring Training

Al is very supportive of the NRCDB/DNR sponsoring a day of spring training for districts. Shana would like to commit at least one full day at the spring event/meeting for comprehensive training. Al would especially like to see areas covered where Shana has had difficulty receiving materials from districts timely, accounting, statute compliance, and district supervisors' responsibilities and accountability. Al would like to see it coordinated in timing with the AACD spring board meeting. Cheryl would like to see the timing coordinated with the spring AACD board meeting as well. Steve and Shana will work together on the dates of the spring board meeting & training event.

11. Board Comments

Cheryl likes the direction that things are going. Al recommends that the resolutions be put on the website when it is appropriate and asks Shana to keep the board informed about the progress of AS 41.10.

12. Public Comments

Ken and AACD would like to remain involved in the progression of AS 41.10. Steve appreciates the NRCDB and what it is trying to accomplish. Ryan thanked the group for being a good board. Joni applauded the board's decision to participate in RDC; a partnership opportunity exists there. Joni also suggested Foraker for training sessions and asked if the location would be Anchorage and if the dates would be in April rather than March. The location will likely be Anchorage and Shana will look into Forakers' training offerings.

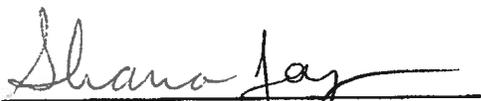
13. Next Meeting

The next meeting will be an in-person meeting in Juneau on Monday, March 5th.

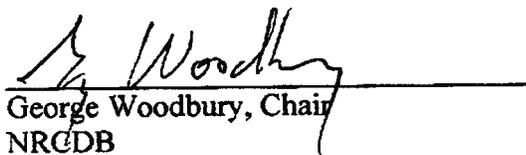
Cheryl moved to adjourn. Carol seconded. The motion carried.
Meeting adjourned at 10:23 a.m.

Minutes taken by:

Minutes approved by:



Shana Joy, Executive Director
NRCDB



George Woodbury, Chair
NRCDB