

MINUTES

CALL TO ORDER

The Oklahoma Conservation Commission met April 2, 2007, in the Agriculture Building Board Room, 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma. The meeting was called to order at 9:30 a.m. by Chairman George Stunkard. He stated this was a regularly scheduled meeting in accordance with the Open Meeting Law, Title 25, Sections 301 and following as amended. The agenda for this meeting was posted March 29, 2007, at the front entrance of the building.

ROLL CALL

Kim Tweed, Executive Secretary, took roll call and the following members were in attendance:

George Stunkard, Chair
Dan Lowrance, Vice Chair
Virginia Kidd, Secretary
Matt Gard, Member
Rick Jeans, Member

Others in attendance were:

Mike Thralls, Executive Director
Ben Pollard, Assistant Director
Steve Coffman, Financial Management and Human Resources Director
Robert Toole, Conservation Programs Director
Dan Butler, Water Quality Program Director
Mike Kastl, Abandoned Mine Land Program Director
Mike Sharp, Information Technology Director
Lisa Knauf, District Services Director
Mark Harrison, Information Representative
Joann Stevenson, Assistant Attorney General
Clay Pope, Oklahoma Association of Conservation Districts Executive Director
Ron Hilliard, Natural Resources Conservation Service State Conservationist
Rod Wanger, Farm Service Agency Conservation Program Chief
Steve Forsythe, The Nature Conservancy
Lawrence R. Edmison, Sierra Club
Sheri Nickel, Garfield County Conservation District Secretary
Jason Skaggs, Garfield County Conservation District Manager
Kim Farber, Garfield County Conservation District Director
Heather Warlick, Capitol Network News
Kim Tweed, Executive Secretary

PLEDGE OF ALLEGIANCE

Mr. Gard led the group in the Pledge of Allegiance.

MINUTES OF PREVIOUS MEETING

A motion was made by Mr. Jeans and seconded by Mr. Gard to approve the minutes of the March 5, 2007, Commission meeting as written. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

DISTRICT DIRECTOR APPOINTMENTS

Mike Thralls, Executive Director, presented recommendations for appointment of conservation district directors as listed in Exhibit #1. A motion was made by Ms. Kidd and seconded by Mr. Jeans to approve district director appointments listed as First Recommendation in Exhibit #1 with terms to expire as indicated. Those voting aye were: Lowrance, Kidd, Gard and Jeans. Mr. Stunkard voted aye on all appointments but the Wagoner County Conservation District recommendation in which he abstained. Nay votes: none. Motion carried.

CLAIMS/FINANCIAL STATEMENT

Steve Coffman, Financial Management and Human Resources Director, presented the claims and financial statement as listed in Exhibit #2. After discussion, a motion was made by Mr. Lowrance and seconded by Ms. Kidd to approve the claims and financial statement. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

UPDATE ON THE BMP INC. AGREEMENT FACT-FINDING

Mr. Thralls stated that approval of an additional \$160,000 to BMP Inc. is the next item on the agenda. A fact-finding has been ongoing by Commission staff regarding concerns with the BMP agreement. He provided a report to members regarding information on the contract. After several meetings, it was agreed to pursue a performance audit of the grant which would be conducted by the Environmental Protection Agency. A conference call with EPA will be held on Wednesday for further discussion.

Mr. Lowrance questioned that if something is found in the audit the Commission would not be able to get the funds returned. Mr. Thralls stated that if it is found that funds were improperly spent, the Commission would ask that the funds be returned. If there is criminal wrong-doing, it would be referred to the Attorney General. Mr. Thralls stated that EPA will perform the audit without charging the Commission.

PRESENTATION OF COMMISSION AGREEMENTS

Ben Pollard, Assistant Director, presented agreements for approval as listed in Exhibit #3. He recommended approval of amended agreements (3a) through (3d). Mr. Lowrance expressed misgivings in approving the BMP Inc. Agreement. He requested staff to keep a good watch on it if it is approved. Mr. Jeans requested staff to pursue an audit. After discussion, a motion was made by Mr. Lowrance and seconded by Mr. Jeans to approve agreements (3a) through (3d). Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

Mr. Pollard requested approval of a new agreement listed as (3e). A motion was made by Mr. Jeans and seconded by Mr. Gard to approve the new agreement as listed. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

OUT OF STATE TRAVEL REQUESTS

Mr. Thralls presented out of state travel requests as listed in Exhibit #4. A motion was made by Mr. Gard and seconded by Mr. Jeans to approve the requests as listed. Those voting aye were: Stunkard, Kidd, Gard and Jeans. Nay votes: none. Mr. Lowrance abstained. Motion carried.

NACD 2007 JOINT SUMMER MEETING

The National Association of Conservation Districts 2007 Joint Summer Meeting is scheduled for July 21-24, 2007 in Washington, D.C. Mr. Thralls is recommending one staff to attend. A motion was made by Mr. Lowrance and seconded by Mr. Gard to approve up to 2 members and one staff member to attend. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

RATIFICATION OF DEWEY COUNTY CD ELECTED POSITION #3

A motion was made by Mr. Jeans and seconded by Mr. Gard to ratify results of the Dewey County Conservation District Elected Position #3 election held on March 12, 2007 as listed in Exhibit #5. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

ADDITIONAL ALLOCATION TO CONSERVATION DISTRICTS FOR FY07 OTHER OPERATING EXPENSES

A motion was made by Mr. Jeans and seconded by Mr. Lowrance to approve an additional allocation of \$1000 to each conservation district for FY07 other operating expenses. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

DESIGNATE CERTAIN SOILS AS "FARMLAND OF STATEWIDE IMPORTANCE"

Mr. Pollard stated that The Nature Conservancy is requesting the Commission to designate certain soils as "Farmland of Statewide Importance" for the purpose of possible enrollment in United States Department of Agriculture's Farm and Ranch Lands Protection Program. The program supports the efforts to protect the Southern Flint Hills in Oklahoma.

Mr. Pollard introduced Steve Forsythe, Southern Flint Hills Manager with The Nature Conservancy. Mr. Forsythe presented a slide show of the program stating that it is a voluntary program to help farmers and ranchers keep their land in agriculture. It provides matching funds to purchase conservation easements from landowners who agree not to convert their land to non-agricultural uses. Mr. Forsythe is requesting the Commission approve a designation for the following soils: Blue Stem Hills in western Osage County and eastern Kay Counties; Northern Cross Timber in eastern Osage and Washington Counties; and Cherokee Prairie in Nowata and Craig Counties. Only the approved soils in these counties would qualify.

After discussion, a motion was made by Mr. Lowrance and seconded by Ms. Kidd to tentatively designate the soils listed above in the listed counties pending approval from the local conservation districts. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried.

PUBLIC COMMENTS

Mr. Pollard stated that representatives of the Garfield County Conservation District attended the Oklahoma Department of Wildlife Conservation Commission meeting this morning to recognize

the efforts of Commission member John Groendyke for hosting a recent event in Garfield County. Mr. Pollard introduced member Kim Farber and employees Jason Skaggs and Sheri Nickel.

NEW BUSINESS

None.

OKLAHOMA CONSERVATION COMMISSION MEMBERS

Mr. Jeans stated that Kay County Conservation District held its annual banquet and it was very successful. He attended Conservation Day at the Capitol.

Mr. Lowrance has served on the search committee for the department head of the new Department of Natural Resource Ecology and Management at Oklahoma State University. He announced that Dr. Keith Owens has been selected and he would like to invite him to a future Commission meeting.

Mr. Gard attended Conservation Day at the Capitol as well as Agriculture Day at the Capitol. Following Ag Day he attended a reception at the History Center and stated that it was well received.

Mr. Stunkard stated that the Wagoner County Conservation District is hosting its 52nd annual Soil Stewardship Breakfast on Friday, April 27 and invited members and staff to attend.

OKLAHOMA CONSERVATION COMMISSION STAFF

Administration: Mike Thralls, Executive Director, welcomed the Garfield County group to the Commission. He reported that Governor Henry vetoed the budget bill passed last week.

The Farm Service Agency notified the Commission that the USDA is ready to announce the Conservation Reserve Enhancement Program in Oklahoma. An agreement signing is tentatively planned for April 20 at 10:00 a.m. at the demonstration farm in Jay, Oklahoma. These plans are subject to change dependent upon Secretary of Agriculture Johann's schedule. Others involved with the signing will be Governor Brad Henry, Mayor of Tulsa, Secretary of Agriculture Terry Peach, Secretary of Environment Miles Tolbert, and members of the Scenic Rivers Commission.

Mr. Thralls expressed his appreciation to State Conservationist Ron Hilliard for his efforts to continue the Contributions Agreement.

Mr. Thralls stated that letters were sent to the congressional delegation in support of watershed funding and the watershed program, which has been zeroed out in the current year.

District Services Division: Lisa Knauf, Director, completed the fourth "10 minute guide" series which details cooperator agreements. The cooperator agreement form will be updated in the future.

Ms. Knauf has been working with the Tulsa County Conservation District on a tort claim filed by a former employee. The district has 90 days to grant or deny the claim; the individual will then have 180 days to file legal action if he chooses.

Ms. Knauf reported on attending meetings at Harmon County, Garfield County and East Woods County Conservation Districts. She thanked the Commission for the additional allocation approved for conservation districts.

Water Quality Program: Dan Butler, Director, and staff has been working on the CREP and stated that this is a \$20 million program without legislature assistance.

Mr. Butler shared an article written in the Norman Transcript about former Commission employee Matt Mercer. Mr. Mercer was honored for his work in the Navy Medical Service Corps.

Abandoned Mine Land Reclamation Program: Mike Kastl, Director, stated that the FY07 grant has been received in the amount of \$1.7 million. This includes \$100,000 for emergencies, \$100,00 for clean streams, and \$1.5 million for reclamation.

Mr. Lowrance thanked Mr. Kastl and Ms. Kidd for their work with the Club Lake project in Haskell County.

Financial Management and Human Resources Division: Steve Coffman, Director, thanked the Commission for approving an additional allocation to conservation districts for FY2007. Mr. Coffman will be attending P-Card training this month. He reported that the CORE team has opened up the budget work program module for FY2008.

Information Technology Division: Mike Sharp, Director, reported on the Tar Creek West Commerce project stating that ground is prepared for grass planting as weather permits. He updated the Commission on the Southeast Commerce project stating that the City of Commerce will not be using this site for soccer fields.

Mr. Sharp stated that GIS Day at the Capitol was held on March 14 and over 100 exhibitors participated. He commended Shellie Willoughby, GIS Specialist, for her work with this event. Lt. Governor Jari Askins spent time observing exhibits and visiting with participants.

Mr. Sharp distributed copies of the GIS strategic plan to the House and Senate committee members.

Conservation Programs Division: Robert Toole, Director, reported that Little Washita Site 13 in Grady County will be decommissioned. He reported that a site in Custer County is being turned back to property owners with all duties, responsibilities and liabilities. This is being done at the request of the landowner.

Mr. Toole stated there is a trend of land development around watershed lakes and stated they are assisting with an issue in the Konawa Conservation District. He stated that development is increasing the cost for rehabilitation. Mr. Toole noted that staff is assisting the Logan County Conservation District to clear land rights on Cottonwood Site 26 where over 125 landowners have been identified. There is development on 3 sides of the structure with houses ranging in price from \$350,000 to \$1.5 million. Some of these homes are in the breach inundation area. Mr. Toole stated that it will take some type of regulations and legislation to alleviate this trend.

Administration: Ben Pollard, Assistant Director, stated that the Commission is sending letters to Oklahoma's congressional delegation regarding federal technical assistance funding. The Bush Administration has proposed eliminating the watershed program. Mr. Pollard stated that the Emergency Watershed Protection Program contains \$50 million and that Oklahoma is included in this package to assist with ice storm debris damage.

Mr. Pollard stated that he and Mr. Thralls attended the Kay County Conservation District's awards banquet and that Dorothy Biddle, former Hughes County Conservation District director, was in attendance. He also attended the Grant County banquet and presented the Governor's Award to Louis Ediger.

Mr. Pollard stated that a tour of the Eucha Spavinaw watershed will be held on April 27 with a tour of the Jay demonstration farm. All Tulsa County legislators have been invited to participate as well as Secretary of Agriculture Terry Peach and Secretary of Environment Miles Tolbert.

Mr. Pollard stated that he, Mr. Thralls, Mr. Toole, Ms. Knauf and Mr. Pope met with newly elected OACD President Scotty Herriman to discuss OACD issues for the coming year.

Mr. Pollard stated that meetings are being held across the state to discuss the state's water plan. 42 meetings will be held over the next nine months to gain input from the public. He encouraged conservation districts to participate in these meetings and weigh in on the critical water issues facing our state.

OKLAHOMA ASSOCIATION OF CONSERVATION DISTRICTS

Clay Pope, Executive Director, stated that Conservation Day at the Capitol was well received and he appreciated the good turnout. He attended Agriculture Day at the Capitol as well as the reception and stated that was a good event too. Mr. Pope stated that employee legislative days are scheduled for April 10 and May 15 and for directors on April 17 and May 8. The National Land and Range Judging Contest is scheduled for May 1-3. OACD is working on stewardship week activities April 30-May 6. The NACD South Central Regional meeting is scheduled in July and Secretary Tolbert and Mayor of Tulsa Kathy Taylor have been invited to speak.

Mr. Pope updated the Commission on legislation OACD is watching pertaining to controlled burns and working with counties/municipal governments on watershed issues.

Mr. Pope stated that a new OACD handbook has been typed as well as by-laws. He will be sending out the quarterly newsletter in the near future. He is working on a policy book based on resolutions passed over the past 10 years.

Mr. Pope reported on the state carbon initiative. He is working with PSO, Secretary Tolbert, and Chesapeake Energy on carbon sequestration issues.

USDA-NATURAL RESOURCES CONSERVATION SERVICE

Ron Hilliard, State Conservationist, stated that the NRCS has received its allocation for FY2007. He will be filling the positions of State Conservation Engineer and State Administrative Officer for Operations as well as two district conservationist positions.

Mr. Hilliard reported on the Farm and Ranch Lands Protection Program stating that the initial allocation will provide over \$736,000 to Oklahoma and proposals will be accepted through April 27.

Mr. Hilliard reported on attending the national leadership team meeting in Washington, D.C. and had the opportunity to visit with Oklahoma's congressional delegation regarding conservation issues.

Mr. Hilliard reported that the new Regional Assistant Chief will be visiting Oklahoma in early May and will attend a portion of the National Land and Range Judging Contest as well as meetings at the State Office.

Mr. Hilliard reported that a rain event overtopped the embankment on Barnitz 14 and that only minor damage occurred.

The Office of Inspector General will perform an audit during the month of April and may request field office visits. He also stated that the National Civil Rights Review is scheduled the week of April 16-20.

USDA-FARM SERVICE AGENCY

Rod Wanger, Conservation Program Chief, provided a written summary. He stated that the Conservation Reserve Enhancement Program proposal has been approved.

Mr. Wanger reported on the 2006 Emergency Conservation Program for Drought stating that \$3.2 million has been paid to date. He stated that as of December 31 this program will no longer include pond clean-outs. Mr. Wanger stated that \$872,000 has been allocated for the 2007 Emergency Conservation Program for ice storm and that an additional \$500,000 will be requested. Mr. Wanger stated that there will not be a Conservation Reserve Program sign up next year. Contracts for the Direct and Counter Cyclical Program must be signed by August 3.

NEXT MEETING

The next regular meeting of the Oklahoma Conservation Commission will be held on May 7, 2007, in the Agriculture Building Board Room, 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma beginning at 9:30 a.m.

ADJOURNMENT

There being no further business a motion was made by Mr. Jeans and seconded by Ms. Kidd to adjourn. Those voting aye were: Stunkard, Lowrance, Kidd, Gard and Jeans. Nay votes: none. Motion carried. The meeting adjourned at 11:47 a.m.

Approved by the Oklahoma Conservation Commission on May 7, 2007.

CHAIR