

MINUTES

(NOTE: Due to the state burn ban and the daily press briefings, the Commission meeting was moved from the Agriculture Building Board Room to the Agriculture Building Plant Industry Conference Room. Signs were posted at the front entrance of the Building indicating the room change.

CALL TO ORDER

The Oklahoma Conservation Commission met January 9, 2006, in the Agriculture Building Plant Industry Conference Room, 2800 N. Lincoln Boulevard, Oklahoma City, Oklahoma. The meeting was called to order at 9:30 a.m. by Chair Rick Jeans. 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 January 5, 2006, at the front entrance of the building.

ROLL CALL

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

Rick Jeans, Chair
George Stunkard, Vice Chair
Dan Lowrance, Secretary
Virginia Kidd, Member
J.T. Winters Jr., 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
Gayle Bartholomew, Water Quality Division Environmental Projects
Coordinator
Monty Ramming, Fort Cobb Project Coordinator
Clay Pope, Oklahoma Association of Conservation Districts Executive
Director
Darrel Dominick, Natural Resources Conservation Service State
Conservationist
Rod Wanger, Farm Service Agency Conservation Program Chief
Joann Stevenson, Assistant Attorney General
Steve Thompson, Department of Agriculture

Jeff Packham, Journal Record
Craig Gunsaulley, Capitol Network News
Kim Tweed, Executive Secretary

PLEDGE OF ALLEGIANCE

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

MINUTES OF PREVIOUS MEETING

A motion was made by Mr. Lowrance and seconded by Ms. Kidd to approve the minutes of the December 5, 2005, Commission meeting as written. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. 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. Stunkard to approve district director appointments listed as 1st recommendation with terms to expire as indicated. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. 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. Stunkard and seconded by Mr. Winters to approve the claims and financial statement. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

SERVICE AWARD RECOGNITION

Gayle Bartholomew, Water Quality Division Environmental Projects Coordinator, was recognized for ten years of service to the state of Oklahoma.

OKLAHOMA ASSOCIATION OF CONSERVATION DISTRICTS

Mr. Jeans moved this report in the agenda due to a meeting commitment of Clay Pope, Executive Director. Mr. Pope reported on attending the Wister Watershed Advisory Group appreciation dinner in Poteau. Legislators in attendance at the dinner were Senator Corn, Representative Brannon and Representative Pruitt. Mr. Pope reported that Garfield County, Kingfisher County and East Canadian County Conservation Districts hosted an appreciation dinner for Representative Roggow and OACD recognized him for his support. Senator Rabon was recognized at a dinner hosted by the Little River Conservation District.

Mr. Pope stated that the OACD Strategic Plan team will be meeting at the Noble Foundation in Ardmore on January 12. OACD will be participating in the Enid Farm Show on January 13 and 14.

Mr. Pope stated that conservation districts, the Conservation Commission and

the Natural Resources Conservation Service has been mentioned in the media in regards to the recent drought and wildfires in the state. This is a good time to discuss the possibility of cost-share for pond construction and invasive species control.

Mr. Pope reported that all entries for Conservation Day awards have been judged except for the education awards.

Legislative bills pre-filed concerning conservation issues deal with controlled burn, insurance for district directors, and water projects.

Mr. Pope reported that a tour with the House Environment Committee scheduled January 10 has been postponed until January 17.

COMMISSION AGREEMENTS

Mr. Ben Pollard, Assistant Director, presented agreements as listed in Exhibit #3. A motion was made by Mr. Winters and seconded by Ms. Kidd to ratify the agreements. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

- a. Natural Resources Conservation Service to provide funding to NRCS to repair a pond dam constructed with funds from the Commission's Cost-share Program.
- b. Natural Resources Conservation Service No. 68-7335-4-63, Amendment #2 to increase public awareness of activities and assistance available from NRCS, OCC and conservation districts; amended to extend time.

A motion was made by Ms. Kidd and seconded by Mr. Stunkard to approve the following new agreements. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

- c. Latimer County Conservation District to assist NRCS with delivery of Farm Bill Programs by allowing district staff to provide direct technical assistance.
- d. LeFlore County Conservation District to assist NRCS with delivery of Farm Bill Programs by allowing district staff to provide direct technical assistance
- e. Indian Country Investments for monitoring assistance in northeast Oklahoma.

A motion was made by Mr. Stunkard and seconded by Ms. Kidd to approve the following amended agreement. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

- f. Oklahoma State University to target critical source areas of phosphorous from pasture systems in the Oklahoma portion of the Wister Lake watershed; amended to extend time.

OUT OF STATE TRAVEL REQUESTS

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

CONSERVATION COST-SHARE PROGRAM - PROGRAM YEAR 8 ADDITIONAL COST-SHARE PRACTICES REQUESTS

Robert Toole, Conservation Programs Division, presented the following requests for additional practices and stated that staff recommends approval of requests a., c., and d. Staff is recommending disapproval of request b as staff believes this is more of a fertilizer and production request and does not address the Program objectives.

- a. To offer Fence (382) as a stand alone cost-share practice to be used in cell grazing in Woods County Conservation District.
- b. To offer Poultry Litter Transfer as a cost-share practice in Pittsburg County Conservation District.
- c. Variance on brush management practice to include all non-herbaceous plants, thus qualifying a number of invasive species needing control, Cimarron County Conservation District.
- d. To include Animal Trails and Walkways as a LLCSP practice, thus allowing cost share on new pond construction for sediment control practices on controlled access area, Little River Conservation District.

A motion was made by Mr. Winters and seconded by Ms. Kidd to approve requests a., c., and d. and to table request b. until more information is received. Discussion was had on buying litter. Mr. Jeans called for a roll call vote. Winters: yes; Jeans: no; Stunkard: yes; Lowrance: no; Kidd: no. Motion failed.

A motion was made by Mr. Winters and seconded by Ms. Kidd to approve requests a., c. and d. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

STATE GUIDELINES FOR CONSERVATION COST-SHARE PROGRAM, PROGRAM YEARS 1-3, AND POLICIES AND APPROVED PRACTICES FOR THE FORT COBB WATERSHED 319 NONPOINT SOURCE POLLUTION IMPLEMENTATION PROJECT

Monty Ramming, Fort Cobb Project Coordinator, presented the State Guidelines for Conservation Cost-share Program, Program Years 1-3, and Policies and Approved Practices for the Fort Cobb Watershed 319 Nonpoint Source Pollution Implementation Project as listed in Attachment A. He stated that no-till is being offered to meet the phosphorous goal in the watershed.

Discussion was had on offering landowners \$15.00 per acre per year to convert to no-till production and offering cost-share on no-till equipment up to 30% of the cost, with a maximum of \$12,000.

After discussion, a motion was made by Mr. Winters and seconded by Mr. Lowrance to approve the guidelines as listed in Attachment A. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

FINDING OF FACT FOR PURPOSES OF RECLAMATION AND ISSUE A NOTICE OF INTENT TO ENTER FOR PURPOSES OF RECLAMATION

Mr. Thralls stated pursuant to Title 45, Section 740.5(A) of the Oklahoma Statutes and Oklahoma Administrative Code 155:15-1-8b, c and d that the Conservation Commission has the authority to enter private property to reclaim and abate abandoned mine land hazards. The Commission has done this twice previously.

Mike Kastl, AML Program Director, stated that the McPheeters-258 project in Rogers County involves a water-filled strip pit and a dangerous highway. The site is within a half mile of the Town of Foyil and its schools. The site presents a danger to anyone visiting the area. The Commission has proposed to use federal funds from OSM to correct the public safety hazard; however, the landowner, Cecil Ray McPheeters, would not sign a right-of-entry for reclamation. As a result the Commission is requesting to initiate a Finding of Fact as listed in Attachment B to allow the Commission to enter the property and abate the hazard. The Commission will also initiate a Notice of Entry as listed in Attachment C.

After discussion, a motion was made by Ms. Kidd and seconded by Mr. Stunkard to adopt the Finding of Fact and the Notice of Intent to Enter for Purposes of Reclamation pursuant to Title 45, Section 740.5(A) of the Oklahoma Statutes and Oklahoma Administrative Code 155:15-1-8 b, c, and d to Mr. Cecil Ray McPheeters. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

PUBLIC COMMENTS

None.

NEW BUSINESS

Mr. Thralls presented an out of state travel request submitted by Ed Crall, Fort Cobb Education Coordinator, to attend the No Till on the Plains 2006 Winter Conference in Salinas, Kansas on January 30-31, 2006 at a cost of \$255.00. A motion was made by Mr. Winters and seconded by Mr. Lowrance to approve the request. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried.

OKLAHOMA CONSERVATION COMMISSION MEMBERS

Ms. Kidd reported on attending the water quality staff meeting retreat. Mr. Jeans reported on attending the Biofuels Conference.

OKLAHOMA CONSERVATION COMMISSION STAFF

Mike Thralls, Executive Director, reported that the Commission has a budget

hearing scheduled for February 2 at 11:30 a.m. to discuss the FY2007 budget request. He will be leaving the NACD national meeting early to attend this hearing.

Secretary of Environment Miles Tolbert has been meeting regarding the bond recommendations and the division of REAP funds between the natural resources agencies.

Mr. Thralls reported that former executive director Mason Mungle is recovering from surgery. Mr. Thralls then presented framed photos to Mr. Jeans, Mr. Lowrance and Darrel Dominick depicting their participation in the Upper Red Rock watershed dedication.

Lisa Knauf, District Services Director, reported on attending board meeting at LeFlore County and Atoka County Conservation Districts. She has also been assisting districts with new payroll and end of year tax procedures.

Dan Butler, Water Quality Director, stated that staff has submitted several outputs and has received approval for six. He reported on routine activities with the wetlands and monitoring programs. Mr. Butler reported that funds remaining in the 2000 grant are being transferred to the Spavinaw Creek project

Mr. Butler stated that the Wister project will be closed out soon.

Mr. Lowrance congratulated Mr. Butler on being named the Water Quality Division director.

Mike Kastl, Abandoned Mine Land Director, reported on the Charles Phase 2 - 28 project in Rogers County, the Club Lake West-101 project in Haskell County and the Kirk-150 project in Haskell County as listed in the written report.

Steve Coffman, Financial Management and Human Resources Director, reported that staff is providing assistance to conservation districts with end of year taxes. He commended Lynn Weldon, Human Resources Specialist, on completing the Confirmation of Benefits for all district employees.

Mr. Coffman reported that staff has provided information to the Office of State Finance and the state senate regarding the Commission's budget request. He stated that he and Mr. Pollard met with the State Risk Management staff to discuss policy renewal.

Mike Sharp, Information Technology Director, stated that pre-bid meeting for the West Commerce AML Tar Creek project was held on December 12. The meeting was held at the site and 20 contractors attended. The bid opening is scheduled for January 10.

Mr. Sharp reported on participating in a tour of four projects in the Tar Creek area and commended the Ottawa County Conservation District for assistance in planning the tour.

Robert Toole, Conservation Programs Director, reported on the watershed rehabilitation program stating that ten projects have been completed, 23 structures are in some phase of rehabilitation, one project is under construction, six projects are awaiting construction, 10 projects are in the design phase, five projects are awaiting design and one project is in the planning stage. Mr. Toole referred to the financial statement stating that \$34,000 was claimed for watershed rehabilitation. Mr. Toole stated that operation and maintenance of these site provides a \$71 million benefit annually to the state. He stated the Commission is requesting \$3.2 million for operation and maintenance to maintain this \$71 million investment.

Ben Pollard, Assistant Director, stated that staff will be participating in the Enid Farm Show on January 13 and 14.

Written reports from each division are attached.

USDA-NATURAL RESOURCES CONSERVATION SERVICE

Darrel Dominick, Natural Resources Conservation Service State Conservationist, reported that the recent fires in Oklahoma have been devastating and have taken the home of one of their employees. The NRCS will continue to work on the cedar inventory as funds become available.

Mr. Dominick reported on the Environmental Quality Incentive Program stating that 602,000 acres are in contracts for brush management totaling \$11.3 million and that 227,440 acres are completed totaling \$4.5 million. Mr. Dominick stated that there are 1600 miles of firebreaks and that there is 2.3 million acres planned for prescribed burn totaling \$1 million with 65,000 acres completed.

Mr. Dominick reported on the Emergency Watershed Protection Program stating that the NRCS knows of eight upstream flood control structures that have been affected by the wildfires. A team is making a damage assessment to possibly use EWP funds.

Mr. Dominick stated that six employees retired during the month of January.

USDA-FARM SERVICE AGENCY

Rod Wanger, Farm Service Agency Conservation Program Chief, stated that some of the FSA employees have been affected with the recent wildfires. Mr. Wanger reported that two employees retired in December and both had over 40 years of service.

The FSA is looking at using the Emergency Conservation Program to assist with natural disaster damages. Mr. Wanger reported on the Conservation Reserve Program stating that over one million acres are in this program.

NEXT MEETING

Mr. Winters requested that the next regular meeting of the Oklahoma Conservation Commission be changed from February 6 to February 8. It was

unanimous consent to hold the next meeting on February 8, 2006, 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 Ms. Kidd and seconded by Mr. Stunkard to adjourn. Those voting aye were: Jeans, Stunkard, Lowrance, Kidd, and Winters. Nay votes: none. Motion carried. The meeting adjourned at 11:25 a.m.

Approved by the Oklahoma Conservation Commission on February 8, 2006.

CHAIR