

HEREFORD NATURAL RESOURCE CONSERVATION DISTRICT

REGULAR MEETING MINUTES

Wednesday, January 17, 2018

Sierra Vista County Complex—Small Conference Room—9:30 a.m.

Board Present: Jim Lindsey, Rachel Thomas, Lucinda Earven, John Ladd, David Greenberg

Others Present: Jack Ladd—Advisor, Don Decker—NRCS, Dusty Glidewell—NRCS, Chris Postel—Clerk-Winkleman NRCD, Chuck Cunningham—cooperator, Cheryle Sylvester—citizen, Evelyn Sylvester—citizen, Tricia Gerrodette—citizen, Kathy Morris—Board Clerk

A. Call to Order

Jim Lindsey called the meeting to order at 9:32 a.m.

B. Introductions

Introductions were made around the room.

C. Call to the Public

Tricia Gerrodette questioned if the comment letter to the Army Corp of Engineers regarding the Villages of Vigneto Development had gone out. Yes, that letter was submitted.

Jackie Thomas—AZ State Land Department called to introduce herself as the new State person representing the state NRCDs. She listed some of the projects she would like to work on and she listened to questions involving how NRCDs report to the State.

D. Review and Approval of Meeting Minutes

1. Regular Meeting, November 15, 2017

Motion: Lucinda Earven moved to accept the regular meeting minutes of November 15, 2017.

Second: John Ladd seconded the motion.

Vote: Carried unanimously.

E. Committee and Other Reports

1. Upper San Pedro Partnership: The latest meeting was cancelled. Future meeting date was unknown. No report.

2. NRCS: Don Decker highlighted due dates for the Conservation Implementation Strategy (CIS) planning activities this year. The NRCS Arizona State Office has produced a timeline: work group meetings should be held by March 30, 2018; CIS plans should be completed and submitted to the State office by June 30, 2018; the NRCS state leadership team will review plans during July and August, with requested changes needing to be in place by September 30, 2018.

2019 EQIP funds will be dispersed 75% based on CIS proposals.

Unanimous Board agreement was that a CIS committee will be Jim Lindsey, John Ladd, and Jack Ladd, working with Don Decker. The work group meetings (encouraged by NRCS) are to bring NRCDs and their partners together. Jim Lindsey will contact Fred Davis—Whitewater Draw NRCD to see about partnering with them. John Ladd suggested Whitewater Draw cooperators with “clean water” money potential be a part of HNRCD’s working group. John Ladd didn’t know if The Arizona Rangeland Conservation Partnership would have any available funds to be a partner.

3. USFS: No one present to report.

4. BLM: No one present to report.

5. The Arizona Rangeland Conservation Partnership: John Ladd reported there were three people at the last workshop. BLM and NRCS have not committed any funds. No one can get any answers regarding funding—one reason funding is up-in-the-air is due to the Farm Bill. All applications are online, which can be accessed through the AACD website: aacd1944.com

6. Cochise Conservation and Recharge Network (CCRN): John Ladd attended the latest meeting. Karen Riggs—Cochise County, secured a grant for \$580,000 from NRCS for study and design of Coyote Wash for a recharge project. It will be an urban enhance runoff project. Estimates are 600 acre feet of recharge will be captured.

F. District Financial Reports

1. Payment Authorizations:

Motion: David Greenberg moved to approve payment for items 1-9.
Second: Lucinda Earven seconded the motion.
Vote: Carried unanimously.

2. Monthly Financial Reports

Submitted to the Board

3. Motion to File Financial Report for Audit

Motion: David Greenberg moved to file the financial report for audit.
Second: Lucinda Earven seconded the motion.
Vote: Carried unanimously.

G. Old Business

1. Conservation Implementation Strategy: Covered under NRCS Report, **E-2**.

2. AACD Winter Meeting, January 9 & 10, 2018, Yuma, AZ: No one from HNRCD attended the meeting. It was reported that seven or eight people from AZ State Land Department did attend.

3. Coordination vs. Cooperation: This will be covered under item **H-8**.

H. New Business

1. Report on Cooperators' Dues: Kathy Morris reported 13 renewing members have paid, 18 yet to pay. Last year we had four new members join and they were not sent renewal letters.

2. Donation to American Stewards of Liberty for Cooperation Executive Order: This will be covered under item **H-8**.

3. National Association of Conservation Districts Dues:

Motion: David Greenberg moved to pay the National Asso. of Conservation Districts dues.

Second: Lucinda Earven seconded the motion.

Vote: Motion failed unanimously.

Discussion: The question was asked, "What specifically do they do for us?" No answers. The question was asked, "does AACD belong"? The answer was "I think they do." Another opinion was if we're going to contribute, we should contribute more to AACD because they do work for us.

4. Fort Huachuca Sentinel Landscape Strategic Planning Session, Feb. 6, 2018: This is an all day event, 9:00 a.m.—4:00 p.m., February 6, 2018, on Post. It's put on by the AZ Land & Water Trust for Fort Huachuca Sentinel Landscape project. Free of charge. It is within the District. They do still have around \$400,000 for restoration projects—projects "on the ground"—these are separate funds from the easement funds. HNRCD is not listed as one of their partners. Jim Lindsey will call Kim McReynolds and ask if the funds will be available for any projects East of Highway 90; try to get clarification on how the funds will be dispersed. Jim will email Board supervisors with his findings.

5. Bisbee Effluent/Ladd Ranch/CCNR: The Ladds' have lost seven head of cattle from the blue/green algae bloom from the Bisbee effluent. The site is on the east end of the Ladd Ranch where the Bisbee

effluent flows as well as where there was a Mexican sewage spill. This is toxic to **everything**, not just cattle.

John Ladd has already contacted Karen Langley at the Cochise County Health Department. She contacted the regional ADEQ and EPA offices and they “stonewalled” her. She asked those organizations to come to the Ladd Ranch and test the site and to date they have not responded. ADEQ has not given Cochise County the test results from the Naco, Sonora, Mexico sewage spill.

Because of this catastrophic problem the Ladds have moved the cattle completely out of the area, resulting in an 800 acre pasture that cannot be used for grazing.

The Bisbee effluent is discharged at Naco Highway and Greenbush Draw (which is private property through the gulf course) and there is no signage alerting effluent discharge. The effluent is supposed to be B+ but it is high in nitrogen and after the gulf course tried irrigating with it they found it “burned” their grass and they weren’t supposed to allow anyone on the grass for 24 hours after irrigating so they refused using it for irrigation.

The question was raised if John Ladd has a conflict of interest with the CCRN and representing the HNRCD at the CCRN meetings. Due to the serious nature of this item, including the science involved, it was decided the supervisors will compose an HNRCD resolution addressing the matter. Upon completion of a resolution approved by the Board, John Ladd’s representation of HNRCD at CCRN meetings will be addressed.

6. Plaque for Horseshoe Draw Project:

Motion: Lucinda Earven moved to obtain information for having a plaque made commemorating HNRCD’s initiation and funding involvement for the Horseshoe Draw Project.

Second: David Greenberg seconded the motion.

Vote: Carried unanimously.

Discussion: There isn’t a location on the structure itself for a plaque, plus no one would ever see it. A plaque could be located at the parking area overlooking the construction site rather than on the highway. The public can’t go through Ladds’ locked gate to get to the site without permission. At one point Granite Construction offered to help erect a plaque. The question was asked if there was a place at the Bisbee County Building for a plaque.

7. HNRCDs to Change from AZ State Land Dept. to AZ State Forestry Dept.

Motion: Rachel Thomas moved the HNRCD support the state districts moving from the AZ State Land Department to the AZ State Forestry Department.

Second: Lucinda Earven seconded the motion.

Vote: Carried with one abstain.

Discussion: There was a vote taken at the AACD Summer Conference, 2017 but far from all districts were represented. Therefore, it was felt this is not a “done deal.” John Ladd did vote for HNRCD, however, at the time he was under the impression it was a “test vote” and his vote was for the districts to be on their own.

The Forestry Service says they have three million dollars to disperse to the districts as opposed to the State Land budget of around \$640,000 for districts.

The question was raised where Forestry gets the three million—it comes from the general fund and they get these monies because they do actual restoration projects/preventative maintenance/conservation projects and State Land doesn’t do anything like that.

A change will require going through the state legislature. Senator Griffin has agreed to sponsor a bill for the change. If it passes the legislature the governor would have to approve the change.

8. BLM Planning Regulation: Rachel Thomas quoted from the Federal Register:

Published in 82 FR 60554 dated December 21, 2017. "By operation of the Congressional Review Act (CRA), the **Resource Management Planning Rule (Planning 2.0 Rule) shall be treated as if it had never taken effect.** The FR includes the Bureau of Land Management amends 43 CFR chapter II by revising part 1600 which includes § 1610.3-1 Coordination of planning efforts which provide in part:

- Keep apprised of non-Bureau of Land Management plans
- Assure that BLM considers those plans that are germane in the development of resource management plans for public lands
- Assist in resolving, to the extent practicable, inconsistencies between Federal and non-Federal government plans
- Provide for meaningful public involvement of other State and local government officials in the development of resource management plans
- Cooperating agencies is only mentioned twice as follows
- Where possible and appropriate, develop resource management plans collaboratively with cooperating agencies
- When developing or revising resource management plans, BLM State Directors and Field Managers will invite eligible state and local governments to participate as cooperating agencies"

Motion: David Greenberg made a motion the HNRCD continue to be involved with **coordination.**

Second: Lucinda Earven seconded the motion.

Vote: Carried unanimously.

Discussion: Again from the Federal Register: "State BLM Directors and Field Managers **shall** keep apprised of State and local governmental policies, plans, and programs. They will to be notified, in writing, by State and local governments of an apparent inconsistency prior to the approval of a proposed plan. In addition prior to the approval of a proposed plan the State BLM Directors **shall** submit to the Governor of the State, the proposed plan and **shall** identify any known inconsistencies with State or local plans, policies or programs. The Governor **shall** have 60 days in which to identify inconsistencies and provide recommendations in writing to the State BLM Director."

Coordination between the BLM and the local governments is the method to identify inconsistencies and work to resolve them before the final plan that goes to the State BLM Director and state governor.

The District has given BLM everything regarding the District's concerns for the SPRNCA RMP, however, the consensus is that the District's concerns have been ignored. For many reasons it would not behoove the District to become a cooperating agency after years of maintaining a coordinating status.

Jim Lindsey will speak with Bill Dunn—AACD in how to proceed in reaching the State BLM Director, Ray Suarez. Winkleman NRCD is the only other district that has been involved in coordination.

Jim has received an email from Amy Markstein—BLM asking if the District was going to sign an MOU making the District a cooperating agency. Amy Markstein, stated in the coordination meeting between the District, the County and BLM October 24, 2017 that she would provide an MOU to the District that should address some of the issues with the open meeting laws. No information has been received.

Motion: Rachel Thomas moved to contribute \$100 to American Stewards of Liberty for the Executive Order re coordination endeavor.

Second: David Greenberg seconded the motion.

Vote: Carried unanimously.

9. Forest Service National Environmental Policy Act Procedure: On January 3, 2018 the USFS published advanced notice of proposed rule making—request for comments. They are going to revise their Natural Environmental Policy Act (NEPA) procedure with a goal of increasing efficiency and other environmental analysis. Comments are due February 2, 2018.

- Motion:* Jim Lindsey moved the District send a comment letter to USFS re the NEPA procedure.
- Second:* Lucinda Earven seconded the motion.
- Vote:* Carried unanimously.

10. SPRNCA RMP/EIS: BLM received a draft RMP/EIS January 11, 2018. The internal review will occur in January; there is a cooperating agency meeting today. BLM expects to release the draft RMP for review in the summer of 2018. Once the RMP is released there will be a 90 day comment period.

11. Grant Awarded from Arizona Community Foundation: Through the efforts of Jack Ladd the HNRCD was awarded a grant from the Arizona Community Foundation in the amount of \$3,800 for general operations.

I. Education Programs

1. Tombstone High School Ag Program: Katie Swaim will probably remain this year. She is helping recruit her replacement.

J. Correspondence

- 1. Forestry Notes
- 2. Thank you letter from USFS
- 3. New Year's card from AZ Land & Water

K. Future Meetings / Agenda Items

HNRCD Regular Meeting

February 21, 2018

Cochise County Complex

Wednesday
Large conference room

9:30a.m.
Sierra Vista, AZ

L. Adjournment

Jim Lindsey adjourned the meeting at 12:01 p.m.

Approved by the Board _____ *2/21/18*
(Date)

Signed _____
(Jim Lindsey, Chairman)

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