

**Minutes of the
Upper Mississippi River System
Environmental Management Program
Coordinating Committee**

**November 15, 2001
Fall Quarterly Meeting**

**Sheraton West Port Hotel
St. Louis, Missouri**

Steve Cobb of the U.S. Army Corps of Engineers called the meeting to order at 8:00 a.m. on Thursday, November 15, 2001. Other EMP-CC members present were Charlie Wooley (USFWS), Scott Stuewe (IL DNR), Kevin Szcodronksi (IA DNR), Steve Johnson (MN DNR), Gary Christoff (MO DOC), Terry Moe (WI DNR), Leslie Holland-Bartels (USGS), and Bob Goodwin (MARAD). A complete list of attendees follows the minutes.

Minutes of the August Meeting

Gary Christoff moved and Steve Johnson seconded a motion to approve the draft minutes of the August 8, 2001 meeting as written. The motion carried unanimously.

Program Management

Steve Cobb said the EMP's fiscal performance was excellent in FY 01. He thanked program partners and stakeholders for their contributions to a very successful year. Cobb noted that FY 02 funding for the EMP was a challenge and stressed the importance of building and maintaining Congressional support for the program.

Roger Perk reported that the EMP achieved 99 percent program execution in FY 01. All savings and slippage (totaling \$3.36 million) was restored and an additional \$248,500 in overtarget funding was obtained, bringing the total FY 01 EMP allocation to \$21,207,500. Actual FY 01 expenditures totaled \$20,998,000.

Terry Moe said he likes the new district spreadsheet format. He asked why the St. Paul District transferred \$2.5 million to the other two districts in FY 01. Don Powell explained that MVP had a lull in project construction and there were needs elsewhere in the program. Moe said some annual variability is inevitable and the flexibility to transfer funding among districts is an effective response to such situations. In response to a question from Moe, Powell said the Assistant Secretary has approved the Ambrough Slough project cooperation agreement (PCA) and the agreement was sent to Wisconsin for signature last week.

Referencing the Corps' activity report, Moe questioned its description of the EMP-CC having approved the new HREP list for MVR. Perk agreed that "approved" was inaccurate. He explained that the list was presented at the August EMP-CC meeting and no one objected.

Perk reported the FY 02 EMP appropriation is \$20.0 million, and the 16.0 percent FY 02 savings and slippage rate for the Corps' construction general account is higher than anticipated. Perk presented an FY 02 EMP allocation plan (see attached). The allocation plan has been coordinated among the three districts but is subject to modification. In particular, Perk noted that the \$287,000 for Fish and Wildlife Service coordination was identified under a \$21.0 million budget scenario. This number will likely be revised downward once the individual districts modify their HREP programs to reflect the reduced budget. In addition, the HREP funding allocation among the three districts may be changed as the year progresses. Under the current plan, approximately 75 percent of the HREP funding is allocated to project construction. Perk said he is comfortable with this percentage and believes it represents a good balance between planning, construction, and monitoring.

Perk provided the following summary of HREPs that will be delayed or otherwise affected under the \$20.0 million FY 02 funding level:

		District		
		MVP	MVR	MVS
Phase	Planning		Pool 12 Overwintering Smith's Creek New DPR Start	Stone Dike Alt. Salt Lake/Ft. Chart SC Pool 25/26 Jefferson Barracks SC
	Design		Lake Odessa Rice Lake	Batchtown Phase III Schenimann Chute
	Construction	Spring Lake Islands	Pool 11 Islands	Batchtown Phase II Batchtown Sediment Control (NRCS)
	Evaluation		Bioresponse Monitoring Performance Evaluations	Baseline Monitoring Bioresponse Monitoring Performance Evaluations

At full authorized funding, the following additional projects could have been pursued in FY 02: Harpers Slough (MVP, construction), Smith's Creek (MVR, design), Rice Lake (MVR, construction), Reds Landing (MVS, planning), Ted Shanks (MVS, planning), Calhoun Point Phases I and II (MVS, construction).

PCA Template

Deb Foley distributed a revised version of the model PCA. She received few comments; thus the document is only slightly changed from the previous review copy. Foley said she did attempt to clarify language concerning responsibility for rehabilitation in response to UMRBA staff comments. Scott Stuewe said he will be coordinating an effort through a multi-state natural resource directors group to address concerns with PCAs used in various Corps programs. Those issues include credit for upland treatment and liability for hazardous

materials removal. Foley observed that credit for upland treatment would require the upland measures to be part of the project design, not simply work that benefits the project area.

The state EMP-CC members indicated that they had no further input regarding the revised PCA. Foley said she will forward the proposed model to MVD and Corps HQ for concurrent review. She said the goal is to obtain delegation of PCA approval authority to the division level and then from MVD to the district level. Foley said such delegation would save at least three months time for a typical project.

FY 02 COE/FWS Scope of Work

Charlie Wooley reported that the Service and the Corps have developed a draft scope of work (SOW) for the Service's HREP-related work in the new fiscal year. In keeping with his previous commitment, Wooley distributed the draft to the states for their review last week. Dan Stinnett explained that the FY 02 agreement covers all of the Service's HREP activities, including Fish and Wildlife Coordination Action work on non-refuge projects. Stinnett said the draft reflects input from the Service's field staff and the Corps' district staff. The draft SOW assumes a \$21.0 million budget. As a result, the three districts may modify the list of specific tasks based on their final HREP allocations. Terry Moe thanked Wooley for the opportunity to review the draft and said it was helpful to see the various tasks identified.

Flood-Related Impacts

Roger Perk noted that it was not possible to provide a full flood damage report at the August EMP-CC meeting due to continued high water, particularly in the St. Louis District. The Corps, the Service, and the states have since determined that there was no significant damage to projects in MVS, leaving Long Lake and Princeton as the only HREPs that will require rehabilitation work. Don Powell reported that there is a fair amount of damage at Long Lake. The Corps and Service are evaluating various scenarios, including the possibility of abandoning the project. However, preliminary cost estimates suggest that the cost of abandonment is only slightly below that of repair. Perk said MVR has issued a notice to proceed with repair of the Princeton levee breach. He described this as a fairly small piece of work, but key to protecting the project from further damage in the spring. Kevin Szcodronski said he will verify that Iowa has sent its share for the costs of the Princeton work.

Perk said an open question remains concerning projects for which the PCA does not clearly assign responsibility for rehabilitation costs. He explained that the proposed new PCA language explicitly identifies rehabilitation of non-refuge projects as a cost-shared responsibility that will be pursued only if the Corps and nonfederal sponsor agree. Older versions of the PCA do not address responsibility for rehabilitation. If a project with one of these older PCAs requires rehabilitation, Greg Ruff said the Corps would rely on the authorizing language in place at the time the project agreement was signed. Perk and Ruff said the Corps may seek new legislative language addressing these older agreements as part of the Report to Congress recommendations.

EMP Public Involvement Plan

Perk reported that the Corps will start implementing the FY 02 public involvement plan outlined at the August EMP-CC meeting. The Corps did not receive comments from any of the program partners on the revised plan presented in August. Scott Whitney asked program partners to document their public involvement work, both past and present. He also requested materials, including photographs, suitable for information kiosks, the EMP web site, and related outreach efforts. These materials should be provided to Whitney by the end of November.

Steve Cobb stressed the value of an interactive web site and urged MVR to build on work done elsewhere within the Corps. Whitney said he has already contacted the Vicksburg District concerning its web site. Mike Thompson noted that the habitat needs assessment (HNA) web page continues to receive many visits, but has not been updated for over a year. He urged that the HNA page be updated as part of the public involvement effort. Whitney reported that UMESC staff have worked very hard to convert the HNA tool for use in Visual Basic. He said this should make the HNA much more accessible to resource managers and the general public.

HREP Planning

Roger Perk reported that MVR will finalize the HREP planning guidance based on comments received. In making revisions, MVR will consult with UMRBA staff regarding the states' comments. The revised guidance will not include the Ecological Resources Team (ERT) proposed in the May draft. The Corps is deferring any work on the additional guidance sections outlined in the May 31, 2001 review draft.

Upon completion of the revisions, MVR will test the guidance by applying it to the five new HREPs that the River Resources Coordinating Team has identified for planning. This test will begin in January and MVR expects to report on the effort in February or March. Dick Steinbach asked how the HNA will be used in the test. Kevin Szcodronski noted that the HNA was not available when the five projects were originally being identified, though resource managers attempted to apply the HNA intuitively. Perk said MVR staff will run through the process, including application of the HNA and prioritization of the projects, and then seek comments from program partners. Steinbach urged MVR to detail its steps and conclusions carefully.

Perk noted that MVP and MVS will also apply the guidance to their new project proposals. However, because of the funding situation and the number of projects already in the planning pipeline, the Corps does not expect to be evaluating additional HREP fact sheets under the guidance until FY 03 and 04.

Report to Congress

Roger Perk explained that, per the 1999 Water Resources Development Act, the Corps must submit a Report to Congress (RTC) in December 2004. As a result, the Corps will initiate work on the report in FY 02. Perk described the report as a vehicle for recommending program modifications and showcasing successes. He requested that program partners

identify a point of contact for RTC-related matters. Terry Moe and Holly Stoerker expressed the opinion that EMP-CC members should be the primary contacts for the RTC.

Scott Whitney urged partners to consider questions such as whether they want the same format, what new content is needed, and what schedule should be established. He suggested a meeting in mid-January to discuss these and other issues.

Stoerker emphasized the importance of identifying HQ/ASA expectations regarding the RTC process and content. She said this should be done as early as possible in the report process. Steve Cobb said Corps Headquarters has not issued any directives or guidance regarding preparation of the RTC. He agreed that Washington-level expectations should be clarified early in the process. Stoerker asked how the broad assessment of the EMP and other authorities under the rescoped navigation study may relate to development of the RTC. Cobb said this is not yet clear. He stressed that, while the Corps will be mindful of interconnections, the RTC will proceed on its own schedule.

Independent Technical Review Committee

Greg Ruff distributed a revised implementation plan for the Independent Technical Review Committee (ITRC). He explained that “Review” was substituted for “Advisory” in order to avoid the possibility of the group being subject to the Federal Advisory Committee Act (FACA). Ruff emphasized that this name change does not alter the purpose or function of the committee set forth in the authorizing legislation or MVD’s implementation plan. MVD will accept comments on its revised implementation plan through November 2001. After resolving any final comments, MVD will submit its ITRC plan to Corps Headquarters in December 2001.

Ruff said he anticipates the ITRC will meet several times before the RTC is submitted. This will allow the ITRC to provide input to the report, as well as allow the program partners to assess the utility of the ITRC as part of the RTC. The ITRC will report directly to General Arnold, but its reports will be shared concurrently with the program partners. Ruff suggested that ITRC meetings be held in conjunction with EMP-CC meetings to facilitate interaction and efficiency. Corps staff will serve as the ITRC’s executive secretary and will facilitate its meetings.

Ruff said the following types of experts will be sought for the ITRC: a fluvial geomorphologist with expertise in environmental restoration, a hydraulic engineer with expertise in environmental restoration, a large river aquatic ecologist, a limnologist or water quality expert, and a geospatial analyst. At least one member will be familiar with the UMRS. Ruff encouraged program partners and others to submit the names of candidates to him. He said MVD will consider nominations until HQ approves the implementation plan. Shortly thereafter, MVD will start contacting potential committee members. Ruff said MVD plans to establish the ITRC by April or May 2002.

Kevin Szcodronski asked how frequently the ITRC will meet, noting that he had assumed it would meet no more than once every one or two years. Ruff said the Corps will rely in part on the ITRC members' judgments regarding meeting frequency. He said he anticipates the committee will likely meet two or three times before the RTC is submitted. Steve Cobb

observed that funding levels will also influence meeting frequency. Ruff said the Corps has set aside \$75,000 in FY 02 for the ITRC.

Gary Christoff noted that terrestrial ecology is not among the proposed areas of expertise for the committee. Christoff and several other EMP-CC members encouraged MVD to add a terrestrial or community ecologist to the committee. Terry Moe asked about the potential for duplication of effort between the ITRC and UMESC's Science Review Committee. Leslie Holland-Bartels said she is not concerned about duplication because the composition and focus of the two groups are quite distinct. She explained that the Science Review Committee considers much more detailed LTRMP questions than will the ITRC. However, Holland-Bartels assured Moe that appropriate links between the two groups will be established.

Dick Steinbach said MVS counsel has suggested that the newly formed River Resource Action Team (RRAT), the EMP-CC, and the other district coordination groups may violate FACA. Cobb said he was aware that the issue has been raised and said he would seek clarification from MVD's counsel. Jeff Stein observed use of the term "Advisory" rather than "Review" was used in WRDA not to invoke FACA but simply to clarify that the committee's reviews and recommendations are non-binding.

Ruff and Roger Perk encouraged program partners to identify potential topics for the ITRC. A list of potential topics will be submitted to the ITRC and the committee members will select two or three topics to consider during their first cycle of meetings. Scott Whitney said a more formal scope of work will be developed once the ITRC is initiated. That SOW will clearly identify the issues on which the ITRC is to work.

LTRMP

Leslie Holland-Bartels reported that the LTRMP expended virtually 100 percent of its \$6.488 million FY 01 allocation. This includes the LTRMP's \$5.234 million original allocation and \$1.164 million in overtarget funding from savings and slippage recovery and other sources. FY 01 activities included the base program (which received a 3 percent increase for inflation), along with deep channel, enhanced analyses, bathymetry, and land use/land cover work. The LTRMP's FY 02 allocation will be \$4.981 million. Holland-Bartels observed that the base program will consume almost the entire allocation, leaving very little flexibility in the program. She said it is key to think strategically about how to take small amounts of money and create useful products over a period of years. There will be little or no inflation adjustment to the base program in FY 02, and some areas will be cut. Efficiencies achieved in vegetation and fish monitoring will be redirected toward other field station work.

Holland-Bartels briefly reviewed FY 01 adaptive management efforts. Methodological changes have significantly reduced the time and expense required to produce a systemic land use/land cover (LULC) coverage. Changes include use of a smaller photo scale and simplification of the classification scheme. Restructuring of the Open River field station has produced a more flexible approach in which all members are cross-trained to work on all components. This has enhanced field efficiency, increased cross-component synthesis of data and information, and improved the station's ability to obtain outside funding. Holland-

Bartels said Bob Hrabik is working with Dave Soballe to examine sampling redundancies in the water quality component and some unique water quality monitoring issues that the Open River station faces.

Holland-Bartels reported that modifications to the vegetation sampling protocol are now fully implemented. The planned three-year overlap between transect sampling and stratified random sampling (SRS) was completed in FY 00. This overlap was designed to permit comparison of transect and SRS data. The vegetation component used SRS exclusively in FY 01. Compared with transect sampling, SRS has increased spatial coverage, reduced field time, and provided more sensitive species abundance indices. Holland-Bartels also summarized an out-of-pool fisheries assessment in which trend pools were compared with adjacent pools. All out-pools examined grouped with the nearest trend pool in terms of community composition. In terms of community structure, Open River reaches grouped with the Open River and Pool 26 trend areas; Pools 5, 12, and 14 grouped with trend Pools 8 and 13; and Pool 3 grouped with trend Pool 4. The out-pool assessment will next examine environmental correlations and develop recommendations.

Holland-Bartels presented results from the fish component review. According to Holland-Bartels, USGS and program partners concurred that any revised fish protocol would have to: be scientifically defensible, address the goals of the LTRMP, enhance the ability to integrate information and data with other LTRMP components, reflect historic and contemporary management and science needs for the UMRS, and maintain critical information pieces. Various options, including temporal simplification and simply comparing active and passive gears, were rejected because they resulted in the loss of too much information. A decision was made to identify the best gear mix for each trend pool. However, that analysis revealed that the most effective combination for each trend area was identical. Thus, a single gear mix was put forward as a systemic proposal.

The proposed fish sampling refinement involves eliminating tandem fykes, mini fykes, seines, and night electrofishing from the base program protocol. According to Holland-Bartels, this approach maintains data continuity, maintains virtually all status and trends information, substantially reduces the number of fish handled, and has minimal impact on spatial coverage. In particular, she emphasized that between 91 and 100 percent of species detection and virtually all trend detection will be retained. In response to questions from Terry Moe, Holland-Bartels said the gear set will be mandatory for all field stations. No other fish monitoring work will be paid for under the base program. However, stations will be free to submit additional fish monitoring as a specific project proposal. She also explained that UMESC staff are drafting a report that will present the findings of the fish component analyses. Moe thanked Holland-Bartels and the UMESC staff for their efforts.

Ken Brummett reported on the A-Team's October 2001 meeting. He noted that A-Team members expressed satisfaction with progress on a number of items, including development of the Visual Basic HNA tool. With respect to the fish component issue, Brummett explained that each A-Team member was asked for input at the meeting and given an opportunity to provide additional feedback afterward. He characterized the unanimous position of the A-Team as "cautious and conditional" approval of the protocol changes described by Holland-Bartels. Brummett briefly summarized some of the concerns and suggestions voiced by various A-Team members. These included a concern that lost data

may reduce the ability to identify the causes of trends and a suggestion that field stations have the option to continue others gears to meet their specific needs.

Moe asked how decisions will be made regarding what to do with the time freed up through the protocol changes. Holland-Bartels outlined a process of consultation with the field stations and A-Team members. After consulting with field station leaders regarding how much time will be freed up and requesting input from the A-Team regarding FY 02 priorities, USGS will issue FY 02 work guidance by April 1, 2002. In addition, by March 15, 2002, USGS will identify a timeline for discussions regarding FY 03 and beyond.

Steve Cobb complimented Holland-Bartels and her staff for their efforts. He said he was pleased to see rigorous analyses used to make the LTRMP more efficient and effective. Dick Steinbach asked about the potential to use the new LULC coverage to evaluate proposed HREPs. Scott Whitney said there are limits in the ability to compare changes over time due to the scale and number of classifications in the new coverage. Holland-Bartels said the coverage will not necessarily identify specific HREP impacts. However, she said it should be possible to talk about potential habitat for specific species over time.

HREP Showcase-Monitoring and Performance Evaluation

Roger Perk reviewed HREP monitoring efforts, noting that the EMP authorization includes authority to monitor habitat projects. Benefits of monitoring include improving the design of future projects, enhancing management of existing projects, and documenting HREP successes. Monitoring starts with development of a Project Evaluation Plan. Baseline monitoring establishes conditions prior to construction. Monitoring during construction determines any adverse impacts from construction. Post construction monitoring is designed to assess project performance. Monitoring includes evaluating physical and biological responses, as well as additional input from natural resource managers. Perk briefly highlighted specific physical and biological monitoring efforts in each of the three districts.

Performance Evaluation Reports (PERs) are used to summarize physical and biological response monitoring results as well as input from resource managers. The evaluation report describes how the project is performing relative to the goals originally established for the project. Perk said the Corps will issue PERs periodically over the life of a project, with frequency diminishing as the project ages. He also highlighted a variety of lessons learned to-date from project monitoring and evaluation. The lessons include insights regarding factors influencing tree mortality and revegetation patterns, unexpected siltation patterns, the value of emergency spillways, and the capacity of relatively small water control pipes to maintain desired dissolved oxygen levels in large areas.

Perk emphasized the importance of continuing effective project monitoring as part of the HREP program. He said the LTRMP might be asked to do comparative assessments among projects with similar features or goals. Perk noted that monitoring and performance evaluation will provide valuable information for the Report to Congress. Terry Moe asked what aggregate numbers are available to demonstrate the HREP program's overall success. Scott Whitney replied that specific acreage figures and other numbers concerning biological

response are available in the individual PERs. Whitney said these numbers could easily be aggregated for use in the RTC.

Other Business

Steve Johnson reported that the Minnesota-Wisconsin Boundary Area Commission was abolished following action by the Wisconsin Legislature and Governor. He noted that the Boundary Area Commission did a considerable amount of public involvement work on the UMR in Minnesota and Wisconsin. The Minnesota DNR will archive the Commission's records.

Mike Thompson reported that the EMP HREP workshop is scheduled for February 19-21, 2002 in St. Louis. [NOTE: Subsequent to the November EMP-CC meeting, the workshop dates were changed to February 20-21, 2002.]

Barb Naramore announced the following dates and locations for future EMP-CC meetings: February 28, 2002 in Bloomington, Minnesota; May 16, 2002 in the Quad Cities; and August 8, 2002 in a location to be determined. [NOTE: Subsequent to the November EMP-CC meeting, St. Louis was selected as the August meeting site.] The navigation study Governors' Liaison Committee and the Upper Mississippi River Basin Association are scheduled to meet on the two days prior to each of these EMP-CC meetings.

Steve Cobb said the Report to Congress will be an important topic for the February EMP-CC meeting. He said the Corps will provide its proposed outline for the RTC at least two weeks in advance of the meeting.

With no further business, the meeting adjourned at 11:35 a.m.

**EMP-CC Attendance List
November 15, 2001**

Steve Cobb	U.S. Army Corps of Engineers, MVD
Charlie Wooley	U.S. Fish and Wildlife Service, Region 3
Leslie Holland-Bartels	U.S. Geological Survey, UMESC
Scott Stuewe	Illinois Department of Natural Resources
Kevin Szcodronski	Iowa Department of Natural Resources
Steve Johnson	Minnesota Department of Natural Resources
Gary Christoff	Missouri Department of Conservation
Terry Moe	Wisconsin Department of Natural Resources
Bob Goodwin	Maritime Administration
Greg Ruff	U.S. Army Corps of Engineers, MVD
Don Powell	U.S. Army Corps of Engineers, MVP
Gary Loss	U.S. Army Corps of Engineers, MVR
Roger Perk	U.S. Army Corps of Engineers, MVR
Scott Whitney	U.S. Army Corps of Engineers, MVR
John Kincaid	U.S. Army Corps of Engineers, MVR
Jan Hodges	U.S. Army Corps of Engineers, MVR
Deb Foley	U.S. Army Corps of Engineers, MVS
Mike Thompson	U.S. Army Corps of Engineers, MVS
Dan Stinnett	U.S. Fish and Wildlife Service, Region 3
Dick Steinbach	U.S. Fish and Wildlife Service, Mark Twain Refuge
Karen Westphall	U.S. Fish and Wildlife Service, Mark Twain Refuge
Joyce Collins	U.S. Fish and Wildlife Service, Marion
John Mabery	U.S. Fish and Wildlife Service, Two Rivers Refuge
Dave Ellis	U.S. Fish and Wildlife Service
Ken Brummett	Missouri Department of Conservation
Mike Wells	Missouri Department of Natural Resources
Jeff Stein	American Rivers
Holly Stoerker	Upper Mississippi River Basin Association
Barb Naramore	Upper Mississippi River Basin Association

FY02 EMP FUNDING

(\$000's)

House = \$21 M
Senate = \$19 M
President = \$21 M
Capability = \$33 M

TOTAL BUDGET	20,000
S&S Assessment	16.0%
S&S Amount	3,200
ADMINISTRATIVE COSTS	
Regional Management	110
Independent Technical Review Comm.	75
Public Involvement	65
Report to Congress	150
SUB (TOT – ADMIN)	16,400
LTRMP 31.4%	5,150
USFWS Coordination	(Within HREP Splits) (287)
HREP	11,250
St. Paul District	3,364
Rock Island District	3,443
St. Louis District	4,443