



Upper
Mississippi River
Basin Association

ILLINOIS, IOWA, MINNESOTA, MISSOURI, WISCONSIN

August 24, 2000

The Honorable Sherwood L. Boehlert
Chairman
House Subcommittee on Water Resources and Environment
B-376 Rayburn House Office Building
Washington, D.C. 20515-6262

Dear Representatives Boehlert:

The Water Resources Development Act of 2000 (S. 2796) as reported by the Senate Environment and Public Works Committee, includes a provision entitled "Upper Mississippi River Basin Sediment and Nutrient Study" (Section 436). As the House Water Resources Subcommittee develops its own proposal for WRDA 2000, the Upper Mississippi River Basin Association (UMRBA) asks that you include the sediment and nutrient study, revised to:

- Delete the cost-sharing requirement
- Include the EPA as a study partner
- Include the upper basin states as study partners

We understand that the Section 436 sediment and nutrient study is designed to build upon some of the research that the Corps' Waterways Experiment Station (WES) has already been doing as part of its Land Management System demonstration project. In particular, a basin-wide application of this pilot work would position the Corps of Engineers to play a partnership role in the more comprehensive sediment and nutrient program proposed in H.R. 4013, the Upper Mississippi River Basin Conservation Act. In addition, the Section 436 study would address some of the research and modeling needs identified in the draft Action Plan developed by the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force, published July 11, 2000 in the *Federal Register* for public comment. While the Section 436 study would not address the full range of actions contemplated in either of these two other pending proposals, it is certainly consistent with the broadly recognized need for better scientific understanding of the fate and transport of sediment and nutrients.

Despite the merits of the Section 436 study proposal, there are several specific ways in which the legislative provision should be revised to enhance its effectiveness. First, the requirement in subsection (e) for 50/50 cost-share should be deleted. Research and

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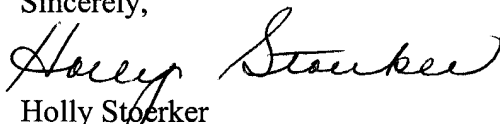
modeling on a basin-scale, covering five states and 189,000 square miles, will be virtually impossible to implement unless it is fully federally funded. There is no single cost-share partner and it is unlikely that a multi-partner agreement could be successfully developed and administered. More importantly, an interstate study of this nature and scale is clearly a federal responsibility, in so far as it will have potential utility and implications beyond the Upper Mississippi River Basin. For example, efforts to restore Louisiana coastal areas or address the Gulf of Mexico hypoxic zone will certainly benefit from nutrient and sediment research in the Upper Mississippi River Basin.

Second, the study would be enhanced if done in consultation with the Environmental Protection Agency. As provided in the Senate's subsection (a) language, the Departments of Agriculture and the Interior would be partners in the study effort. While these two agencies are clearly appropriate for inclusion, so too is the EPA. EPA's role in water quality, including development of nutrient criteria and the agency's lead role in the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force, in particular, suggest that EPA should be involved.

Third, the basin states' environmental protection and conservation agencies also need to be involved in the study, which would identify sources of sediment and nutrients and examine the effectiveness of alternative management measures. The states will certainly have data that would be useful and have valuable perspectives on potential applications of the modeling and research. In this regard, it would be appropriate to specify the states' involvement in subsection (a) that identifies other federal agencies with which the Secretary is to consult and subsection (c) regarding "use of information." In reality, subsection (c) appears to be extraneous, in so far as the results of any federal study should be made publicly available. However, if subsection (c) has a more specific intent, which the Committee believes is important to explicitly state, then it should be made mandatory (i.e. "the Secretary shall") rather than permission (i.e. "the Secretary may").

In conclusion, the Upper Mississippi River Basin Association (UMRBA) supports the inclusion, in WRDA 2000, of an Upper Mississippi River Basin sediment and nutrient study, consistent with the above comments. The UMRBA is the organization formed in 1981 by the Governors of the five basin states to help coordinate state and federal water resources programs in this basin. As such, we have a standing interest in these matters and would welcome an opportunity to work more closely with the House Water Resources Subcommittee. Please do not hesitate to contact me if you have any questions.

Sincerely,


Holly Stoerker
Executive Director