

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

November 20, 2003
Fall Quarterly Meeting

Radisson Hotel
La Crosse, Wisconsin

Greg Ruff of the U.S. Army Corps of Engineers called the meeting to order at 8:03 a.m. on Thursday, November 20, 2003. Other EMP-CC members present were Don Hultman (USFWS), Scott Stuewe (IL DNR), Kevin Szcodronski (IA DNR), Steve Johnson (MN DNR), Janet Sternburg (MO DOC), Gretchen Benjamin (WI DNR), Leslie Holland-Bartels (USGS), and Larry Shepard (USEPA). A complete list of attendees is attached.

Minutes of the August Meeting

Kevin Szcodronski moved and Janet Sternburg seconded a motion to approve the draft minutes of the August 7, 2003 meeting as written. The motion carried unanimously.

Program Management

Roger Perk reported that, at the close of federal FY 03, the EMP had expended \$10.403 million. This is 99.4 percent of the program's \$10.471 million in scheduled expenditures for the year. According to Perk, these figures include \$319,400 in funds reprogrammed into the EMP immediately prior to the close of FY 03. This additional funding was directed to the Calhoun Point and Pool 11 Islands HREPs. Perk characterized the EMP's FY 03 expenditure rate as quite good.

Regarding FY 04 appropriations, Perk reported that the House and Senate both approved a compromise energy and water appropriations conference report on November 18. That measure, which would fund the EMP at \$19.0 million, is now awaiting the President's signature. Perk estimated that the Corps would be operating under a continuing resolution at least through the end of November.

Perk presented a preliminary FY 04 EMP allocation plan, explaining that the plan assumes an EMP appropriation of \$19.0 million and a savings and slippage (S&S) rate of 16 percent, which was the rate in FY 03. Based on these assumptions and a proportional allocation approach, the HREPs and LTRMP would receive \$10.702 million and \$4.898 million, respectively. Perk noted that both the Independent Technical Review Committee and EMP public involvement efforts will receive more attention and resources in FY 04. HREP managers briefly reviewed the specific projects slated for planning, design, construction, and evaluation under this preliminary allocation plan. [However, subsequent to the

November 20 meeting, the FY 04 S&S rate applicable to the EMP and other projects in the Corps' construction account was determined to be 22 percent, thus reducing the allocation to each of the EMP's major components. Project-specific information presented by the Corps at this meeting is therefore subject to further modification as adjustments are made to accommodate the increased S&S.]

In response to a question from Holly Stoerker, Perk explained that delays due to funding constraints reduce the efficiency of the HREP process. Delays during the planning and design phase introduce some inefficiencies. In addition, the longer a project waits between planning and construction, the more likely that some of its features will need to be reworked. Factors include changes in partner priorities and Corps construction techniques. Perk said the Corps requires an additional review if a project sits on the shelf for more than nine months before construction.

Perk estimated that Corps personnel in each of the districts spend 2-3 days completing the quarterly Activity Reports that summarize the Corps' UMRS-related work. He asked EMP-CC members for their input regarding how extensively they use the reports and whether the reports' value justifies the resources invested in producing them. While EMP-CC members agreed that the reports are helpful, they also recognized that producing the reports is resource-intensive. After some discussion, it was agreed that the Corps will publish an annual, rather than quarterly, report and will limit its focus to documenting progress within the EMP, rather than seeking to capture all of the Corps' UMRS-related work.

Proposed New EMP Brochure

Marvin Hubbell briefly summarized a discussion from the EMP-CC's August meeting, at which members supported Gretchen Benjamin's recommendation for a new EMP brochure. In particular, the objective is to develop a more succinct, user friendly summary of the program. Hubbell said the Corps is allocating \$40,000 to public involvement in FY 04, a portion of which could be used to print a new brochure.

Benjamin reported that Wisconsin DNR is donating some of Ruth Nissen's time to write the new brochure. She explained that Nissen is quite experienced in communicating with the public concerning resource issues. Benjamin said she envisions a simple, 4-panel brochure geared to conveying basic information about the program. While acknowledging that this approach is somewhat constraining in terms of what can be conveyed, Benjamin emphasized that keeping the message brief is a key part of communicating effectively with the public.

Leslie Holland-Bartels urged that the LTRMP portion of the brochure emphasize the program's contributions to scientific understanding, rather than its execution of specific monitoring tasks. Holland-Bartels said she would be happy to consult with the brochure's authors regarding suitable examples.

Hubbell said he would work with Benjamin and others at Wisconsin DNR to prepare a draft EMP brochure for the partners' review and comment.

Long Term Resource Monitoring Program

Federal Business Changes

Leslie Holland-Bartels reported that changes in federal business practices mean USGS can no longer advance bill the Corps for LTRMP work based on obligations incurred. Instead, USGS may now bill only after expenses are incurred. As a result, states must bill USGS before USGS can then bill the Corps for field station-related expenses. Holland-Bartels emphasized the importance of states submitting their LTRMP billings promptly in order to maintain the program's fiscal performance. She said UMESC has contacted each state, requesting billings monthly, if possible, and on a quarterly basis at minimum.

FY 03 Accomplishments

Holland-Bartels briefly reviewed operation of the LTRMP in FY 03. While the LTRMP was allocated only \$3.0 million from the FY 03 EMP appropriation, various additional measures allowed the LTRMP to operate as a \$3.9 million program for the year. These measures included a further reduction in the USGS overhead rate from 11 to 7 percent, which saved approximately \$156,000. In essence, these measures reduced what would have been a 40 percent cut to a 22 percent reduction. Holland-Bartels noted that fixed costs represented approximately 97 percent of the LTRMP's budget in FY 03. In keeping with the EMP-CC's recommendation to minimize impact to the program's data collection capabilities in FY 03, field station funding was reduced by 16 percent, while LTRMP funds to USGS were cut by 25 percent.

The LTRMP's FY 03 scope of work (SOW) necessarily reflected these funding constraints. Component monitoring was significantly reduced as a cost-saving measure. With the time that otherwise would have been spent monitoring, field station staff collaborated with UMESC personnel to enter existing data and conduct focused data analyses. In addition, UMESC and field station staff initiated a science planning process. In consultation with the A-Team and other program partners, 79 project pre-proposals were identified in anticipation of increased FY 04 funding. While actual FY 04 funding will not be sufficient to fund new initiatives, the pre-proposals will be retained for potential future use. The science planning process also focused on identifying fundamental questions of importance that can then be broken down into discrete tasks, thus allowing the program to operate more effectively in a fluctuating funding environment. Holland-Bartels described several examples of FY 03 accomplishments, including development of an online browser for fish data and insights such as an association between fingernail clam density and inorganic suspended solids, chlorophyll *a*, and spring maximum discharge.

FY 04 and Beyond

Holland-Bartels explained that the FY 02 LTRMP SOW, which some partners view as the baseline program, was implemented with a budget of \$4.981 million. Adjusting for inflation, this would be equivalent to \$5.161 million in FY 04. Referencing the Corps' proposed FY 04 allocation discussed earlier in the meeting, Holland-Bartels said USGS

could balance the program's budget in FY 04 assuming funding of \$4.898 million. However, she cautioned that this would require some reductions in effort relative to FY 02. [Note: This allocation was calculated based on a savings and slippage rate of 16 percent. Subsequent to the EMP-CC meeting, the actual FY 04 S&S rate was determined to be 22 percent.]

Holland-Bartels emphasized her concern that the LTRMP is moving toward becoming a program consumed entirely by fixed monitoring costs. She stressed that, after FY 04, there will simply be no more flexibility to buffer the field stations' data collection activities from the impacts of shrinking budgets. According to Holland-Bartels, both UMESC and the field stations have done an excellent job reducing discretionary and indirect costs in the LTRMP's previous rounds of belt-tightening. Looking forward, any further reductions will simply have to come from the program's direct costs. She noted that the water quality and fisheries components currently comprise 54 percent of total program costs and thus potentially offer some opportunities to reduce efforts without eliminating the component entirely. In contrast, invertebrate monitoring is the smallest component and is accomplished entirely with permanent staff, thereby offering few opportunities for cost savings short of complete elimination.

Holland-Bartels expressed her firm conviction that the LTRMP must serve and analyze, not merely collect, data in order to be a sound program. She reminded EMP-CC members that, in May 1996, then-A-Team Chair John Wetzel warned that funding below \$5.5 million would require "reengineering" of LTRMP, potentially including the elimination of monitoring components, closure of field stations, reduction in research, and/or reduction in data and support activities. Holland-Bartels said the program has now clearly reached the point where "science-based efficiencies within the context of the presently designed data collection program ... cannot compensate for inflationary impacts. Nor can such a strategy allow critical analysis, platforms, strategic leadership, and knowledge transfer to the resource decision makers." She said the LTRMP was once a robust program with many elements. Drawing an analogy to shelter, she explained that we have gradually moved from a large home with many features to a smaller, simpler home. However, she cautioned that we are now at the point where we are no longer even maintaining that smaller home.

Greg Ruff noted that last year, at the request of the program partners, the Corps made a decision to allocate a disproportionate share of the EMP appropriation to the LTRMP. This was done in an effort to insulate the LTRMP somewhat from the impacts of the substantial reduction in appropriations, with the hope that the funding situation would improve substantially in FY 04. While the FY 04 appropriation is up from the FY 03 level, it is significantly below the President's full funding request and is below even the program's previous high. Ruff said the Corps shares Holland-Bartels' perspective that it is clearly time to look at restructuring the LTRMP. Roger Perk said the LTRMP is producing compelling information, such as patterns associated with sediment delivery from tributaries. Perk said such insights offer promise in helping to inform HREP selection. However, he emphasized that analysis and focused research, not merely raw data, are needed to gain such insights.

John Sullivan expressed concern that the A-Team has not had sufficient opportunity to review the LTRMP's FY 04 SOW and advise the EMP-CC. Holland-Bartels clarified that she was not seeking any immediate action by the EMP-CC. Rather, she said she was raising

the issues concerning the program's future for consideration at the policy level by the EMP-CC, but would also be consulting with the field stations, UMESC staff, and A-Team members for technical input. Holland-Bartels urged that the coming months be used to carefully consider a redesigned, balanced LTRMP that can operate successfully even if resources into the program do not increase.

Ruff stressed the importance of continuing efforts to increase program funding, but said the partnership must also recognize the very real impacts of current appropriations levels. Gretchen Benjamin called for efforts to build public support for the program. She said the public needs to understand the impacts of the budget on the program if they are to communicate their concerns effectively with Congress. Gary Wege concurred with Benjamin that the program needs more public support, but also urged the program partners to seriously address the restructuring issues raised by Holland-Bartels. Wege said he values the analysis that was accomplished in FY 03.

Holland-Bartels said that, in her view, the worst approach would be to drop and then bring back elements, subjecting the program to continued instability associated with funding fluctuations. She said the restructuring decisions need to be made and then the program needs to move on with implementation.

Jeff Janvrin suggested that the pending Report to Congress (RTC) address the impacts of inadequate LTRMP funding more directly. Perk said the partners had already discussed the RTC's treatment of the LTRMP funding issue extensively at previous meetings. He said the partners recognized that the report must walk a fine line in treating the issue, noting that Congress could very well decide not to fund the LTRMP at all if the RTC's message is perceived to be that the program is not viable at current funding levels. Rich Worthington stressed that, as an executive branch agency, the Corps of Engineers cannot and will not lobby for program funding. However, he said the RTC can present factual information about program capabilities.

Holland-Bartels said Benjamin's point about helping people understand the differences between a fully functional LTRMP and the program as currently funded is critical. She expressed confidence that the analyses completed in FY 03 will allow the program partners to speak compellingly about the program's contributions to understanding and about the data needed to support those insights. However, in addition to helping people understand the program's contributions, she said it is essential in FY 04 to design a restructured LTRMP for implementation in FY 05 and 06. Kevin Szcodronski and Steve Johnson concurred with Holland-Bartels, emphasizing that inadequate funding is a longstanding and ongoing problem. Given that reality, they agreed that it is no longer acceptable to address the LTRMP's budget situation on an annual basis with piecemeal solutions and expressed support for a restructuring effort in FY 04. Ruff expressed the Corps' appreciation for the partners' contributions to a difficult discussion. He urged Holland-Bartels to keep the EMP-CC members informed as she proceeds with the technical-level restructuring discussions.

A-Team Report

John Sullivan distributed a written report on behalf of A-Team Chair Tom Boland. Sullivan described the A-Team's continued participation in the LTRMP science planning process and

acknowledged the program's significant progress in making data available to managers and the public. He also expressed the A-Team's gratitude to Tom Boland for his excellent leadership during his two-year term as chair.

Sullivan reported that the A-Team recommends allocating a minimum of \$4.99 million to the LTRMP in FY 04 to accomplish core sampling at FY 02 levels. He said the A-Team is very concerned with the erosion of the LTRMP over time and recommended that the pending 10-year component reports be revised to provide insight regarding what monitoring produces the most valuable information. Without such insights, Sullivan said the A-Team is reduced to making recommendations regarding cuts based on how much various efforts cost. Holland-Bartels said the component reports are not currently geared to making such recommendations, but she said the A-Team will be an important part of the LTRMP review structure.

Kevin Szcodronski said he was tempted to recommend providing the LTRMP with \$4.99 million in FY 04 while also initiating the restructuring effort. He noted that the new long-term approach may result in some data discontinuity. Holland-Bartels said she believes there are opportunities to retain continuity even while restructuring the program. Scott Stuewe said it is probably unrealistic to expect full program funding in the foreseeable future. Given this, he stressed the importance of addressing program restructuring. Janet Sternburg observed that the LTRMP's fixed costs continue to escalate. If the funding situation does not change dramatically, she said program restructuring will be unavoidable. Steve Johnson expressed satisfaction with the competence and professionalism of LTRMP staff during what will be a difficult decision making process. Benjamin stressed the importance of a dual track approach, focusing on increasing program funding while also identifying restructuring options. The EMP-CC members did not endorse the A-Team's recommendation regarding FY 04 funding for the LTRMP.

Navigation Study

Greg Ruff briefly described the Corps' recent Navigation Study public meeting series. Attendance at the seven meetings totaled 1,262, with the largest number of comment forms submitted by attendees who said their primary interest was agriculture. Those submitting comments generally indicated that they understood the study process, agreed that the alternatives presented were consistent with the study's dual purpose, and found that the meeting enhanced their understanding of the study. Ruff said the Corps is accepting post-meeting comments and statements through November 30 and will then prepare its analysis and record of the meetings. Major next steps in the study process include identification of the tentative selected plan, individual state briefings, and an Alternative Formulation Briefing (AFB) in early February. The draft feasibility report is scheduled for release in April, with public hearings slated to follow in May.

HREP Planning and Sequencing

Roger Perk reported that he had revised the HREP Planning and Sequencing Framework based on discussion at the August EMP-CC meeting and subsequent written comments. Perk said he believes the revised version is now ready for the EMP-CC members' endorsement. Perk advised against further efforts to perfect the framework in the abstract,

noting that it can be revised in the future, if need be, based on actual implementation experience. In response to a request from Janet Sternburg, Perk said he would modify the District Ecological Team (DET) section so that it includes language clarifying that project evaluations will be done annually, but may be skipped if sufficient projects are in the pipeline. This would be parallel to language contained in the System Ecological Team (SET) description.

Jeff Janvrin expressed concern with the framework's references to the Query Tool, noting that technical limitations related to the Query Tool's use of aquatic area types have recently come to light. Janvrin stressed that the tool's aquatic area types are not equivalent to habitat types. Perk said the DETs should evaluate the various tools at their disposal and make any recommendations for needed improvements. Perk said he would not eliminate the framework's reference to the Query Tool based on possible limitations that the DETs have not had an opportunity to evaluate. Leslie Holland-Bartels offered to facilitate a discussion regarding the limitations and appropriate application of the Query Tool. She stressed that the Habitat Needs Assessment and the Query Tool are sound, but need to be properly understood. Perk thanked Holland-Bartels for her offer to lead such a discussion. Janvrin urged that the discussion take place on a system level, not within a single DET.

Scott Stuewe moved and Janet Sternburg seconded a motion to endorse the revised HREP Planning and Sequencing Framework dated 10/03/03, with the modification described above regarding the DETs' flexibility to forego annual project evaluations if there are sufficient HREPs in the pipeline. The motion carried unanimously.

Perk reported that he has received very few suggestions in response to his previous requests for the names of potential SET members. He asked EMP-CC members to submit the names of any additional candidates to him by January 15. Prior to the February EMP-CC meeting, Perk said he will review all names submitted and consult with EMP-CC members concerning the Corps' recommended list of team members. After consulting EMP-CC members individually, Perk said he will begin querying preferred candidates regarding their availability to serve. Perk said implementation of the HREP Planning and Sequencing Framework will begin in FY 05.

Independent Technical Review Committee

Greg Ruff briefly reviewed language from the 1999 Water Resources Development Act directing the Corps to establish an independent technical advisory committee for the EMP and authorizing appropriation of up to \$350,000 annually for the committee. He noted that the Corps does not anticipate needing to fund the committee at the full authorized level. Having consulted with the EMP-CC, Ruff said the Corps has defined the purpose of the Independent Technical Review Committee (ITRC) as follows:

- Review the application of information from the LTRMP and make recommendations for information needed to better understand the system and inform HREP development.
- Evaluate methods for HREP selection and design and recommend improvements based on sound-science.
- Make recommendations regarding environmental restoration techniques.

- Recommend generic types of HREPs that could meet system- and reach-scale ecosystem needs.
- Review and recommend post-construction HREP monitoring procedures.

Ruff emphasized that the ITRC will focus on the program level and will not be involved in the HREP approval process. The group will report to the MVD Commander. While the Corps wants the ITRC to be a small group, the membership will include a fluvial geomorphologist, hydraulic engineer, large river aquatic ecologist, limnologist, geospatial analyst, and terrestrial ecologist.

Ruff said he has received some suggestions regarding candidates for the ITRC. However, he said he would welcome more names, and asked EMP-CC members to provide him with any additional candidates by December 18. Ruff said the Corps will then develop its recommended list of ITRC members and consult with the EMP-CC via conference call in January 2004. After this consultation, the Corps will recruit members for the ITRC in the January to March timeframe and will brief members in April. The first ITRC meeting is slated for May 2004, at which time the committee will select its initial topics. In response to a question from Janet Sternburg, Ruff said ITRC members may be compensated for their time and travel expenses.

Report to Congress

Information Needs Assessment (Coordination between the LTRMP and Other Programs)

Marvin Hubbell briefly summarized the EMP-CC's previous discussions regarding the issue of coordination between the LTRMP and other programs. More specifically, Hubbell described members' general consensus that coordination between the LTRMP and other programs is important, but extends beyond the scope of the EMP. For this reason, EMP-CC partners concluded that the RTC should not recommend a comprehensive Information Needs Assessment (INA) for the river under the EMP. However, they agreed to give further consideration to the possibility of recommending an INA that is not done solely through the EMP. At their February 2003 meeting, EMP-CC members asked staff from the U.S. EPA, USGS, Corps, and UMRBA to consult further on the idea of an INA done under other auspices. Hubbell reported that staff from these agencies held a conference call at the end of October and are recommending that USGS and EPA jointly convene an interagency science planning process to identify the full range of data and information that are needed to support environmental management decisions for the Upper Mississippi River and its watershed. The November 2003 draft Report to Congress includes a recommendation to this effect.

Bill Franz said the draft RTC's treatment of the coordination issue on p. 65 of the conclusions and recommendations chapter is adequate, but said EPA has some reservations regarding the p. 59 write-up in the issues chapter. Franz said he and Larry Shepard will be offering a rewrite to this portion of the report. Shepard urged that the RTC clearly explain the impacts of limited funding on what the LTRMP can accomplish. He also suggested that an INA would be a good way of exploring issues related to restructuring the LTRMP, but acknowledged that this was beyond the scope of the recommendation stemming from the October conference call. Holland-Bartels said the recommendation from the October call is

clearly consistent with the interests of USGS. She said Shepard's additional suggestion regarding using an interagency INA to guide restructuring of the LTRMP should be considered separately. After brief additional discussion, EMP-CC members endorsed the recommendation to have USGS and EPA jointly convene an interagency science planning process as proposed on p. 65 of the November draft RTC.

HREPs on Non-Refuge Lands (Cost-Sharing)

Marvin Hubbell recalled that, at the EMP-CC's previous meeting, the Corps agreed to provide data on the extent of various federal agencies' land holdings on the UMR. Partners requested this information before proceeding further with discussion regarding what, if any, recommendation should be included in the RTC concerning extending 100 percent federal funding for HREPs to non-refuge federal lands. Hubbell reported that data on federal agency land ownership in the UMR floodplain is presented on p. 54 of the November 2003 RTC draft.

Perk said it appears that HREPs are eligible for 100 percent federal funding on most of the Corps' General Plan (GP) lands, with the exception of lands specifically reserved for Corps management, including lock and dam sites, recreation areas, and the St. Louis District's Riverlands Project. The basis for this interpretation is a cooperative agreement between the Corps and the Service under which GP lands, other than those managed by the Corps, are to be managed as a national wildlife refuge. This would appear to make the lands eligible for 100 percent federal funding under the terms of Section 906(e) of the 1986 Water Resources Development Act, regardless of whether they are under state or Service management. However, Perk emphasized that Corps counsel has yet to confirm this interpretation. If this interpretation holds, then the only remaining question from the partners' previous discussion of this issue would be whether to recommend using EMP funds to construct HREPs on lands owned and managed by other federal agencies, such as the National Park Service or the Forest Service. Perk said the Park Service and Forest Service holdings that might be candidate sites for projects appear to be quite limited, raising the question of whether it would be worth pursuing such a change to the EMP authority, given its limited applicability. He suggested that an alternative might be to handle such projects on a case-by-case basis.

Kevin Szcodronski questioned the preliminary interpretation described by Perk, noting that Iowa was required to cost-share a portion of the Bussey Lake project on GP lands managed by the state. Szcodronski said he understands that the timing of the RTC and Navigation Study complicates any recommendation the RTC might make regarding cost-sharing. However, he said the EMP's project opportunities are limited by the current cost-share requirements and should be expanded. Greg Ruff said recommending changes to EMP cost-sharing as part of the RTC would complicate the broader ecosystem restoration recommendations anticipated as part of the Navigation Study recommended plan. Ruff questioned whether the EMP is significantly constrained by the current cost-share requirements. Steve Johnson said that the degree of constraint hinges on the question of whether projects on state-managed GP lands can be constructed at 100 percent federal expense. Johnson said he sees relatively few project opportunities on land owned by other federal agencies in the upper part of the UMR.

Gretchen Benjamin said she has not heard a compelling reason to avoid addressing the cost-sharing issue in the RTC. Saying she sees no conflict with potential Navigation Study recommendations, Benjamin urged that the RTC address needed changes in EMP cost-sharing. Scott Stuewe said he shares Benjamin's judgment. Rich Worthington said it is highly unlikely that Corps Headquarters would support a recommendation to construct HREPs on Park Service or Forest Service lands with EMP funds. Worthington explained that these agencies have their own management priorities and resources for such work. He further explained that the Corps does not have the same difficulty using its funds to construct HREPs on Fish and Wildlife Service lands because of the historic links between the navigation project and the UMRS refuges.

In response to a question from Janet Sternburg, Perk said he did not have exact figures on the GP acreage over which the Corps retains management and which would thus not appear to be eligible for 100 percent federal funding under the EMP. Szcodronski asked whether the Corps would ever sponsor an EMP project on lands that it owns and manages. Worthington said he did not think there was a framework in authority and policy that would allow the Corps to be a project sponsor. Ruff concurred, saying that GP lands appear eligible for HREPs only if they are managed as a national refuge, with the Service or a state as the managing agency.

After some further discussion, EMP-CC members agreed that the Park Service and Forest Service holdings in the UMR floodplain, estimated at 301 and 33,438 acres, respectively, are not sufficiently large to warrant seeking a change to EMP authority. However, partners deferred further consideration of the cost-sharing issue until the Corps can provide a more definitive answer to the broader question involving its General Plan lands — i.e., whether the Corps' GP lands that are not specifically reserved for the Corps' own management are considered to be managed as a national wildlife refuge for the purpose of Section 906(e) and are therefore eligible for 100 percent federal funding for HREP construction, regardless of whether they are managed by the Service or a state. Corps staff will seek an opinion from legal counsel and examine experiences with past projects. Questions associated with operation and maintenance responsibilities for HREPs on GP lands will also be evaluated.

Delegated Authority

Hubbell reported that MVD has recommended to Corps Headquarters that it expand the authority to approve HREPs at the District and Division levels. Under this recommendation, the District Commanders would be authorized to approve planning and construction for HREPs costing less than \$5 million and using relatively standard practices. The MVD Commander would be authorized to approve HREPs greater than \$5 million or that incorporate untested practices. Hubbell said MVD has not yet received a response to its recommendation. EMP-CC members concurred with Hubbell's suggestion that the RTC reflect the status of MVD's recommendation at the time the report is submitted — i.e., if the recommendation has been approved, then the change would be described in the issue and conclusion sections of the RTC; if Headquarters has not yet acted upon the recommendation, then it would be retained in the RTC as a recommendation for action by the Administration.

Rehabilitation of HREPs

Hubbell said the Corps has determined that guidance regarding HREP rehabilitation is unnecessary. Thus, contrary to the partners' previous discussion, MVD will not issue guidance formally establishing the rehabilitation policies that the EMP-CC endorsed at its November 20, 2002 meeting. Instead, Hubbell said the Corps believes the RTC should simply document the partners' understanding and assumptions concerning rehabilitation. The EMP-CC members expressed their satisfaction with this approach.

Public Input

Marian Havlick said she has always been concerned regarding the adequacy of EMP funding. She said Congress has failed to deliver on the commitment it made in authorizing the second lock at Melvin Price and the EMP. Given this history, Havlick said she has no reason to expect better follow through on any future ecosystem restoration commitments made as part of Congressional action on the Navigation Study.

Ruff emphasized that the EMP is not a mitigation program. He noted that Congress makes annual funding decisions regarding implementation of all projects it authorizes. Things will be no different with the Navigation Study—i.e., Congress will decide on an authorization, but then that authority will be implemented through a series of annual funding decisions. However, Ruff said the Corps intends to recommend a dual purpose authority for both navigation improvements and ecosystem restoration. If Congress approves a dual purpose authority, then it would be funded as such. Ruff said the Corps study team is currently looking at ways in which the authorization language could ensure appropriate linkage between the two elements. Havlick said this approach is not being made clear to the public. Ruff said the Corps will definitely address the issue in its May 2004 public meetings.

Benjamin said it is critical for the public to strongly support the dual purpose authority, stressing that the ultimate success of this approach is by no means assured. She explained that Congress will almost certainly authorize mitigation measures, but will not automatically include an ecosystem restoration package.

Speaking on behalf of the Mississippi River Citizen Commission, Mark Schulz said the RTC needs to recognize the vital link between the river system's resource base and the socio-economic health of the communities that line its banks. Robin Grawe noted that there are studies documenting the value of recreation on the UMRS.

Conclusions and Recommendations

Hubbell requested written comments on the November 2003 RTC draft by December 15. Acknowledging the partners' limited opportunity to review the draft prior to today's meeting, Hubbell invited comments on the RTC's conclusions and recommendations chapter (i.e., Chapter 4).

Jeff Janvrin noted that Chapter 4 references 85,000 acres of direct impact from habitat projects. He urged that the report also describe the far larger area of indirect impact. Holly Stoerker suggested using the Navigation Study's formulas for areas of influence.

Several people suggested modifications to the p. 62 conclusion regarding the EMP's effective and efficient use of federal appropriations in order to more clearly convey the impacts of funding constraints. Specific suggestions included referencing the HREP backlog and the LTRMP priorities that have not been addressed. Ken Lubinski also recommended modifying the phrase "meet program objectives" to avoid any mistaken inference that the EMP has achieved all of its goals.

Janvrin expressed concern with the habitat needs assessment (HNA) conclusion on p. 62. He acknowledged the need to address the HNA in the conclusions section, but took issue with describing it as "a useful tool in helping to identify and shape potential HREPs." Janvrin said partners agreed throughout the HNA process that the assessment was not intended to "shape habitat projects."

Grawe asked why land acquisition has not been used more extensively in the EMP. Stuewe cited limited state cost-sharing resources and the fleeting nature of some acquisition opportunities as two impediments. Janvrin added that developing an EMP HREP is a lengthy process, limiting some landowners' interest in working with the program.

Janvrin suggested additional conclusions focusing on habitat results, new techniques and approaches under development, and the regional and national significance of the HREPs and LTRMP.

Grawe suggested a conclusion describing the public's frustration with the HREP backlog. Several people noted the difficulty in documenting claims regarding public sentiment. Szcodronski suggested that an agency report to Congress is not an effective vehicle for conveying such concern. Instead, he said, members of Congress and the Administration need to hear directly from individual citizens if they are frustrated.

Another member of the public said misinformation about habitat projects and their impacts is a problem. For example, rumors often circulate that hunting and fishing will be restricted on HREPs, or that projects will interfere with navigation. He stressed that the EMP partners need to communicate more effectively with the public. Gary Wege said this is precisely the type of problem that the EMP should be addressing through its public involvement plan.

Regarding Fish and Wildlife Service operation and maintenance (O&M) of HREPs, Don Hultman said the Service is gathering more comprehensive information on its O&M requirements. He said the Service will offer revised wording for the RTC recommendation on this topic. Stoerker also observed that the Chapter 3 discussion of this issue is inappropriately placed in the category of issues on which a Corps policy change will be sought. She stressed that the partnership's recommendation on this issue was not for a Corps policy change, but rather for efforts to ensure that the Service has adequate resources within its own budget to O&M HREPs on refuge lands. Hultman said the Service will also provide a rewrite to the relevant portion of Chapter 3. In response to a question from Sternburg, Ruff said the Corps would oppose a recommendation to transfer EMP funds to the Service for HREP O&M.

Ruff thanked members of the public and the EMP-CC for their valuable input. He explained that the writing team will consider today's discussion and any written comments received in revising the November 2003 draft RTC.

Other Business

Gretchen Benjamin said the EMP-CC needs to work as a group to advocate for the EMP and build public support for the program. Greg Ruff said such efforts may be appropriate for other members of the EMP-CC, but stressed that the Corps cannot lobby Congress or the Administration for its own program. However, he also noted that the Corps can and will do more to increase public involvement (PI) in the program, consistent with the program's PI strategy. Holly Stoerker observed that the draft RTC currently addresses public involvement in Chapter 2, discussing the issue as it relates to recommendations in the 1997 RTC. She suggested recasting this discussion to focus on the PI plan that has been developed and now needs to be implemented.

Janet Sternburg agreed with Benjamin that the EMP's profile with Congressional staffers needs to be raised. Jeff Janvrin suggested the 2004 Grand Excursion as an excellent opportunity to increase public awareness of the EMP. Benjamin, Sternburg, and Hultman agreed to serve on a small group to focus on building public awareness of, and support for, the EMP. Roger Perk said MVR staff would provide the group with information that it may need, including the current public involvement strategy. Hultman noted that the districts have compiled information on public contacts that they make in the course of HREP planning and design. That information is not currently reflected in the draft RTC.

Holly Stoerker announced that the upcoming quarterly meeting schedule includes meetings on February 26, 2004 in St. Louis; May 20, 2004 in St. Paul; and August 12, 2004 in the Quad Cities.

With no further business, the meeting adjourned at 1:30 p.m.

**EMP-CC Attendance List
November 20, 2003**

Greg Ruff	U.S. Army Corps of Engineers, MVD
Don Hultman	U.S. Fish and Wildlife Service, Upper Mississippi Refuge
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
Janet Sternburg	Missouri Department of Conservation
Gretchen Benjamin	Wisconsin Department of Natural Resources
Rich Worthington	U.S. Army Corps of Engineers, Headquarters
Don Powell	U.S. Army Corps of Engineers, MVP
Thomas Novak	U.S. Army Corps of Engineers, MVP
Roger Perk	U.S. Army Corps of Engineers, MVR
Marvin Hubbell	U.S. Army Corps of Engineers, MVR
Dennis Fenske	U.S. Army Corps of Engineers, MVS
Brian Markert	U.S. Army Corps of Engineers, MVS
Dan Stinnett	U.S. Fish and Wildlife Service, Twin Cities Field Office
Gary Wege	U.S. Fish and Wildlife Service
Sharonne Baylor	U.S. Fish and Wildlife Service, Upper Mississippi Refuge
Barry Johnson	U.S. Geological Survey, UMESC
Yao Yin	U.S. Geological Survey, UMESC
Carol Lowenberg	U.S. Geological Survey, UMESC
Jennie Sauer	U.S. Geological Survey, UMESC
Pat Heglund	U.S. Geological Survey, UMESC
Tom Kelly	U.S. Geological Survey, UMESC
Ken Lubinski	U.S. Geological Survey, UMESC/The Nature Conservancy
Gary Clark	Illinois Department of Natural Resources
Diane Ford-Shivvers	Iowa Department of Natural Resources
John Sullivan	Wisconsin Department of Natural Resources
Jeff Janvrin	Wisconsin Department of Natural Resources
Bill Franz	U.S. Environmental Protection Agency, Region 5
Larry Shepard	U.S. Environmental Protection Agency, Region 7
Robin Grawe	Mississippi River Citizen Commission
Mark Schulz	Mississippi River Citizen Commission
Karrie Jackelen	Congressman Ron Kind
Marian Havlick	Malocological Consultants
John Wetzell	
Holly Stoerker	Upper Mississippi River Basin Association
Barb Naramore	Upper Mississippi River Basin Association