

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

May 20, 2004
Spring Quarterly Meeting

Radisson Riverfront Hotel
St. Paul, Minnesota

Don Hultman of the U.S. Fish and Wildlife Service called the meeting to order at 8:03 a.m. on Thursday, May 20, 2004. Other EMP-CC members present were Charles Barton (USACE), Scott Stuewe (IL DNR), Diane Ford-Shivvers (IA DNR), Amy Denz (MN DNR), Janet Sternburg (MO DOC), Gretchen Benjamin (WI DNR), Leslie Holland-Bartels (USGS), and Bill Franz (USEPA). A complete list of attendees is attached.

Minutes of the February Meeting

Concerning the draft February 26, 2004 meeting minutes, Diane Ford-Shivvers requested a change to the third sentence of the first paragraph on p. 8. She said it would be more accurate for the sentence to read "According to Heglund, Tom Boland offered to participate on the team, but was instead asked to provide the Assessment Team with historical information from his many years on the A-Team." Janet Sternburg moved and Gretchen Benjamin seconded a motion to approve the draft minutes of the February meeting, with the modification requested by Ford-Shivvers. The motion carried unanimously.

Program Management

FY 04 Status

Roger Perk reported that, through March 31, 2004, the EMP's expenditures and obligations totaled \$5.346 million and \$9.645 million, respectively. Perk characterized the 36 percent expenditure rate through the second quarter as typical for this point in the fiscal year.

According to Perk, four HREP construction contracts will likely be awarded before the end of FY 04. These contracts are for Spring Lake Islands and Pool Slough in MVP, Pool 11 Islands Stage 2 in MVR, and Calhoun Point Stage 2 in MVS. The bulk of construction on these projects would take place in FY 05. For FY 05 planning purposes, the Corps is assuming EMP appropriations of approximately \$19 million and a 22 percent savings and slippage rate.

Referencing the second quarter spreadsheets, Perk said the Report to Congress expenditure rate will decrease for the remainder of FY 04. Don Powell reported that Ambrough Slough is under construction. Plans and specs for Pool Slough should be done next week, at which

point Small Business Administration contractors will be asked to bid the project. Plans and specs for Spring Lake Islands should also be completed soon, according to Powell. Perk reported that Pool 11 Islands, Stage 1 is nearing completion. MVR has awarded two of the contract's three additional dredging options, which were contingent upon available funding and dredge disposal capacity. Final definite project reports are scheduled to be completed in FY 04 for Rice Lake, Lake Odessa, Fox Island, and Pool 12 Over-wintering. The construction schedule for these projects is contingent on funding availability. Perk also noted that the Mississippi River Citizen Commission is holding a Congressional briefing and media day today and tomorrow. This will include a visit to the Pool 11 Islands project. Brian Markert reported that Calhoun Point Phase 1 is under construction and should be completed this year. MVS anticipates awarding the contract for Calhoun Point Phase 2 this year, and proceeding to construction in FY 05. Design work on Schenimann Chute should be completed in FY 04, and the Batchtown design is scheduled for completion next year.

In response to a question from John Sullivan, Perk explained that a habitat project is shown as "deferred" on the spreadsheets if a fact sheet was prepared but the project is currently inactive. Perk elaborated that, because money was expended on fact sheet development, these deferred projects must be reflected on the program spreadsheets. Scott Stuewe asked about the ongoing and completed totals reflected in the gray portion of the historical summary spreadsheet. Perk explained that the ongoing figure is an estimate of the total required to complete projects currently in planning and construction. The completed figure reflects the costs of all habitat projects completed through FY 03.

Selection of SET and ITRC Members

Perk briefly reviewed the roles and functions of the System Ecological Team (SET) and Independent Technical Review Committee (ITRC). The SET will function as part of the new HREP Planning and Sequencing Framework endorsed by the EMP-CC in November 2003. More specifically, the SET will review the project recommendations from each of the three District Ecological Teams and consider how they might best be combined to meet system and reach goals. The SET will be comprised of habitat experts from this region who are familiar with the EMP HREP program. Some of the SET members will be people who serve on the DETs. In contrast, the ITRC is mandated by the Water Resources Development Act of 1999 and will be asked to look at broader questions concerning both the HREP and LTRMP components. The EMP-CC will have input regarding the questions that the ITRC is asked to address. The ITRC will be comprised of people with expertise in a wider range of disciplines and will likely include some members from outside of the region who have national reputations in their fields.

The Corps has determined its preferred candidates for both the SET and ITRC, after considering a range of partner input. Perk said he has informally shared these two lists with EMP-CC members, and asked that partners contact him if they have any substantial concerns. At Gretchen Benjamin's request, Perk said he would also inform EMP-CC members of the Corps' alternate candidates should its preferred individuals be unable or unwilling to serve. He asked program partners to get back with him by June 10 [subsequently changed to June 17] if they have concerns. After that date, Perk will begin extending invitations to the candidates. He explained that the MVD Commander will

formally appoint the individuals who agree to serve on the SET and ITRC. Terms on the two groups will be renewable at the Commander's discretion.

Public Involvement/Program Advocacy

Gretchen Benjamin noted that a revised version of the draft EMP brochure was included with the agenda packet. Wisconsin DNR based its revisions on partner input concerning the previous draft. Among the changes, individual names were deleted from the contacts page to avoid unnecessarily dating the brochure. Benjamin said she would like to have the completed brochure available in time for use at the Navigation Study public meetings in June. With two to three weeks required for printing, this means that the brochure needs to be finalized quite soon. Benjamin asked EMP-CC members to provide her with any final comments by May 21. She said Wisconsin DNR would coordinate with the Corps regarding printing the brochure.

Don Hultman reported that the Upper Mississippi Stakeholder Network, sponsored by St. Mary's University, has agreed to maintain a database of individuals interested in the EMP and to issue e-mail action alerts at key points. Hultman emphasized that program outreach and advocacy are ongoing needs, and stressed that Congress must hear directly from members of the public who support the EMP. He explained that the Stakeholder Network will not become an active advocate itself, but will instead make sure that individuals interested in the program are well-informed concerning opportunities to express their support.

Roger Perk emphasized the importance of clearly distinguishing between program advocacy activities, in which the Corps and other federal agencies may not engage, and public information and education activities, in which they both can and should engage. Hultman concurred, and said that the EMP Outreach Plan will be modified to more clearly distinguish between these two categories of activities. After some further discussion, it was agreed that the EMP-CC need not endorse the outreach plan and that doing so would, in fact, be inappropriate for the federal agency members.

Diane Ford-Shivvers asked that future EMP-CC agendas include time for various program partners and supporters to report on their efforts related to public involvement, education, and program advocacy. She reported that Iowa DNR is organizing a tour for senior staff from the Governor's office and the agency to familiarize them with work being done on the river. Benjamin reported that Wisconsin Governor Doyle called for full funding of the EMP in his Earth Day statement. Hultman said the UMR Refuge is publishing a special edition newspaper celebrating the refuge's 80th anniversary and the Grand Excursion. The paper will include an article about the EMP. Perk urged partners also to highlight ways in which their river work is supported or made possible by LTRMP data, noting that the public and members of Congress often do not understand how the LTRMP contributes to river management.

Long Term Resource Monitoring Program

10-Year Component Reports

Barry Johnson reported that UMESC has received the program partners' comments on three of the four 10-year component reports—i.e., fisheries, invertebrates, and vegetation. While late comments have delayed these three reports slightly, they are essentially on schedule, with completed reports expected by September 2004. The water quality report, which was delayed more substantially due to turnover in the principal investigator position, is currently out for comment. Johnson also reported that three additional fisheries reports are currently out for comment. He urged partners to submit their comments by the requested deadlines in order to keep the various reports on schedule.

Program Assessment

Roger Perk described the need to define a smaller, sustainable baseline LTRMP. He emphasized that the combined effects of inflation and reduced or static funding mean that these fundamental restructuring decisions can no longer be postponed. Perk said the past practice of making incremental modifications to get by for another year is not in the program's long range best interest, particularly given the apparent likelihood of continued funding constraints. However, he noted that additional work above the baseline can certainly be pursued if the funding situation improves. Perk said the Corps is committed to defining this smaller, sustainable baseline program by August, with input from the EMP partner agencies.

Leslie Holland-Bartels briefly summarized the work of the LTRM Program Assessment Team, which was comprised of Pat Heglund, Marvin Hubbell, and Rick Frietsche. According to Holland-Bartels, the program partners' responses to the Assessment Team's survey were much as expected and demonstrate the LTRMP's value to its partners. They also reflect a diversity of opinion among the partners regarding what the LTRMP should be. Holland-Bartels said the survey input should be a useful starting point for discussion.

Heglund thanked the program partners for their contributions to the assessment and distributed a summary of the partners' survey input, along with the individual agency/state survey responses. Heglund observed that the partners expressed at least some level of support for each of the LTRMP's four fundamental goals. However, there was a general consensus against increasing the focus on Goal 3 (i.e., develop management alternatives), given the program's overall fiscal constraints. Heglund said the LTRMP is currently weighted heavily toward Goal 2 (i.e., monitor resource change). She showed possible alternative distributions across the four goals, explaining that increased emphasis on analysis and data management would require reductions at field stations, changes in component sampling, and modifications in business practices.

Holland-Bartels said the LTRMP partners have done a tremendous job achieving efficiencies for the program. However, virtually all such possible improvements have already been made, according to Holland-Bartels. She said the annual incremental changes being made in response to resource constraints are now becoming less scientifically defensible. Changes are being made in response to budget needs, rather than as an

integrated strategy for the program's future. Holland-Bartels said defining a five-year strategic plan for the program, including a more modestly scaled baseline, will make the annual decision-making easier and will help ensure the scientific validity of the work that is done.

In an environment of declining or static appropriations and increasing savings and slippage, Holland-Bartels said the LTRMP is making a critical error by representing that it can do monitoring for less than its real costs. For example, she said, the monitoring program cannot operate without equipment refreshment, but that item has been removed from the budget. She emphasized that this is not a viable long-range strategy.

Perk concurred with Holland-Bartels' comments regarding the challenges facing the program and the need for a five-year strategic plan that is implementable under conservative funding assumptions. Assuming \$19 million in funding annually, a 22 percent savings and slippage rate, and annual inflation of approximately four percent, this would mean that the FY 05 baseline LTRMP should not exceed \$3.6 million, in order to be implementable through FY 09 with the LTRMP's share of \$19 million. Perk and Holland-Bartels expressed their desire to maintain a field station presence in each state, but said changes in monitoring protocols must be considered. They also emphasized the need for all LTRMP cost centers to practice full cost accounting and to align their staffing patterns with the revised work plan that will emerge from the restructuring discussions. Holland-Bartels also renewed her previous invitation to EMP partners to visit UMESC for an in-depth briefing on the details of the LTRMP budget.

Holland-Bartels said some combination of business, infrastructure, and program changes will be needed to bring the baseline LTRMP into line with available funds. As examples of business changes, she cited changes in staffing approaches and implementation of full cost accounting. Potential infrastructure changes take the form of co-locations. Holland-Bartels noted that USGS's decision to close its former east campus facility will save approximately \$100,000 in FY 05 facility costs. Holland-Bartels also reviewed various potential program changes to give a sense of the potential savings associated with different options. Examples of potential annual savings include: 1) do land cover/land use on a 10-year cycle—\$200,000; 2) eliminate invertebrate component—\$200,000; 3) reduce vegetation sampling effort by 50 percent—\$400,000; 4) eliminate fixed site water quality sampling—\$400,000; and 5) reduce the number of study trend reaches from six to five—c. \$375,000.

Diane Ford-Shivvers said she anticipates that the Program Assessment Team's information will be quite helpful, but stressed the partners' need for an opportunity to review and consider that information before beginning program restructuring discussions. Ford-Shivvers recommended defining a clear process to meet the August deadline for a new five-year plan. Scott Stuewe agreed with Holland-Bartels that the LTRMP has suffered by trying to maintain the full program in the face of declining budget resources. He also expressed concern that the reduction in LTRMP reports has diminished the program's visibility, and stressed the need to demonstrate the program's importance to those beyond the partner agencies.

In response to Ford-Shivvers, Perk said the Corps wants the EMP-CC's input on the difficult policy decisions that will have to be made in order to restructure the LTRMP. He also

emphasized the importance of technical input from the A-Team, and urged EMP-CC members to coordinate closely with their A-Team people. To illustrate the policy v. technical distinction, Holland-Bartels said EMP-CC members should identify what they value most from vegetation sampling (e.g., spatial coverage? statistical trends in 50 individual species? a few key species and their areal extent?). After the EMP-CC does this, then the A-Team can engage in the technical discussion concerning how best to implement vegetation monitoring to meet those top priorities. Holland-Bartels acknowledged that the policy v. technical distinction is not always a sharp one, and said that the process of defining a five-year strategic plan will necessarily be iterative.

After further discussion, it was agreed that the EMP-CC would hold an LTRMP strategic planning meeting on June 24 in the Quad Cities [Note: the location and schedule were subsequently modified to June 24-25 in La Crosse]. All EMP-CC members will be asked to participate in the strategy meeting and will have the responsibility of speaking for their federal agency or state. EMP-CC members will also have the option of bringing additional technical staff, but the need to keep the overall number of participants manageable was recognized. A question was raised regarding whether individuals with a direct personal stake in the restructuring decisions should participate in the meeting, but the value of the technical insights these people can provide was also acknowledged. It was agreed that determining which technical experts to bring to the June meeting should be left to the individual EMP-CC members. Perk urged all partners to coordinate actively with their A-Team members, field station staff, and others in advance of the meeting.

Janet Sternburg expressed concern with attempting to define the five-year strategic plan by August. In particular, she said more time is required to complete the analyses needed to support sound restructuring decisions. She cited the analyses that went into the previous fish component restructuring as the type of work needed. Holland-Bartels concurred that such analyses are quite helpful, but said budget constraints dictate that fundamental decisions regarding the LTRMP be made in August. According to Holland-Bartels, there simply are no more interim solutions. Therefore, she said, the partners must look at the available options, strive to reach consensus regarding a restructuring plan, and then live with the results.

Benjamin, Sternburg, and Ford-Shivvers all urged the Corps and USGS to arrange for a neutral party to facilitate the June strategic planning meeting. Perk concurred that this would be helpful. Sternburg said she might be able to supply one of Missouri DOC's professional facilitators.

Don Hultman stressed the importance of laying out restructuring options in advance of the June meeting. Holland-Bartels said this might be helpful, but only if all partners treat the options simply as a starting point for the discussion. She asked other EMP-CC members to let her know if they have specific ideas on what is needed for the strategic planning meeting. Holland-Bartels emphasized the need to finish the June meeting with sufficient input and direction to the A-Team regarding how to focus its technical discussions prior to the August EMP-CC meeting.

John Sullivan expressed concern that, after investing approximately \$40 million in the LTRMP, the 10-year component reports do not include recommendations regarding future

monitoring needs and approaches. Sullivan said there has not been a clear articulation of priorities for the expenditure of limited LTRMP funds. He said the A-Team needs this kind of policy guidance from the EMP-CC.

A-Team Report

Sullivan reported that the A-Team met via conference call on April 19. The primary purpose of the call was to discuss questions on the partnership survey developed by the LTRM Program Assessment Team. Questions included how A-Team members' input would be considered; the involvement of others with an interest in elements of the program, such as state water quality personnel; and the role of the principal investigators at UMESC.

Sullivan stressed the A-Team's conviction that completing the Status and Trends Report should be a priority. He said the team understands that little progress will be made in FY 04, due to budget constraints and the decision to prioritize monitoring. However, he said the A-Team members want an opportunity to provide input to the report outline that is scheduled to be developed this year. Sullivan also reported that A-Team members commented individually on the first three 10-year component reports (i.e., fisheries, vegetation, and macroinvertebrates). However, Sullivan said he believes he is the only A-Team member so far to comment on the water quality report. He urged the other partners to provide input on this report.

Sullivan reported that Holland-Bartels has asked him, in his role as A-Team Chair, to coordinate an effort to document how the program partners are using LTRMP data. Sullivan said he has forwarded Holland-Bartel's request to the A-Team, asking them to provide examples of how their agencies and others are using the data.

Sullivan said the next A-Team meeting is scheduled for July 27, via conference call. However, he said this was subject to change based on the outcome of the EMP-CC's June 24 meeting. Holland-Bartels said she is confident that, once the EMP-CC has bounded the discussion at the policy level, the A-Team will need to meet in-person to explore the resulting technical questions.

Sternburg reiterated her concern with the tight schedule for developing a strategic plan by August. She emphasized that the LTRMP partners will live with the consequences of these decisions for the next five years, and cautioned against making rush decisions. Perk said he understands Sternburg's concerns, but said that delaying the restructuring decisions beyond the August EMP-CC meeting will mean that the states and USGS have even less time to adapt to the changes that will have to come starting in FY 05.

Other

Gary Loss noted that Holland-Bartels will soon be leaving her position as UMESC Center Director to become the Deputy Regional Director for the USGS's Western Region. Loss presented Holland-Bartels with a Commander's Coin from Rock Island District Commander, Colonel Gapinski. He expressed the partnership's appreciation for Holland-Bartel's stable leadership of the program during difficult fiscal times. Holland-Bartels described her time as Center Director as a great learning experience and a

positive challenge. She said the EMP partners should be proud of what they have accomplished and should communicate those successes to others.

Report to Congress

ITR and Public/Partner Comments

Marvin Hubbell reported that the Corps completed an internal independent technical review (ITR) of the draft Report to Congress (RTC) at the end of March. Hubbell explained that the public review draft released in April reflected changes resulting from the ITR. The public comment period ended May 14. While the Corps is still waiting on comments from a few program partners, it has already started to consider the comments that it has received. Hubbell characterized those comments as generally being quite helpful and constructive.

Hubbell said there were three specific comments that he would like to discuss with the EMP-CC members. First among those was a recommendation from Fish and Wildlife Service that the draft RTC be modified to more fully address the anticipated Navigation Study recommendations. In particular, the Service has urged that the RTC clearly explain that the EMP cannot, by itself, answer the ecosystem needs identified in the Navigation Study. Tim Yager elaborated that some people appear to think that the EMP could be ramped up to implement the Navigation Study's anticipated ecosystem recommendations. While the EMP could certainly contribute, Yager said it is clear that the EMP cannot be the full answer. In response to questions from EMP-CC members, Yager said he did not have specific changes to offer to address the Service's general comment. Greg Ruff said he believes the draft RTC has done a good job explaining the EMP's relationship to the ongoing Navigation Study, but said that the Corps would be happy to review the draft to see if further clarification is in order. Roger Perk asked the Service to elaborate, by the end of May, on the specific changes that it would like to see to address the concern it has raised.

Hubbell said the second comment for discussion also came from the Service, which recommended discussing the current LTRMP restructuring process in the RTC. Yager said the Service believes it is important to recognize the process that the partners are undertaking to develop a five-year strategic plan. Leslie Holland-Bartels suggested modifying the current text describing past efforts to improve the LTRMP's efficiency and effectiveness to indicate that this is a continuing effort. She urged caution not to inadvertently undermine the case for full funding in describing the benefits of restructuring. Yager said the Service would be comfortable with a revision that describes efforts to enhance efficiency and effectiveness as an ongoing, adaptive learning process.

Hubbell said the third comment needing discussion came from the Natural Resources Conservation Service, which suggested adding a recommendation for the EMP to coordinate more closely with other federal land acquisition and management programs. Perk suggested modifying the RTC text to highlight the value of such coordination, but said he does not believe a recommendation on the topic is warranted. EMP-CC members concurred with Perk.

Process and Schedule for Completion

Hubbell said the Corps plans to revise the RTC in response to the comments received and post the final version on its FTP server by June 23 [subsequently changed to July 8]. This will be the version that MVR intends to submit to MVD. Hubbell said the partners will then have a brief opportunity to review this final version before submitting their letters of endorsement for inclusion in the RTC. He said the deadline for letters to be included in the report would be June 30 [subsequently changed to July 16]. Perk said he understands that the five states and UMRBA intend to submit endorsement letters, and asked about the federal partners' plans. Bill Franz, Gary Wooten, and Don Hultman said their agencies (i.e., U.S. EPA, NRCS, and USFWS, respectively) all intend to prepare letters.

Hultman asked how the Corps intends to respond to the individual comments that it received on the public review draft. Hubbell said, for those who submitted their comments using the Corps' comment form, MVR staff will complete the "action" column of the form, describing what they did in response to each comment.

Greg Ruff said he anticipates MVD will forward the RTC to Corps headquarters fairly shortly after receiving it from MVR. After that, Corps headquarters is responsible for reviewing the report and forwarding it to the Assistant Secretary of the Army for Civil Works, who in turn must obtain clearance from the Office of Management and Budget (OMB) before forwarding the RTC to Congress. Ruff noted that review by these Washington-level entities can be rather time consuming. Rich Worthington concurred, noting that that Navigation Study's Interim Report is still at OMB. Holly Stoerker recalled that, at yesterday's UMRBA meeting, Charlie Wooley suggested using the RTC's release as an opportunity to focus more attention on the EMP. She asked how that might best be done, given the potentially lengthy process Ruff and Worthington described. Ruff said one potential opportunity is a press release when the MVD Commander transmits the report to headquarters. Stoerker suggested that any such release be accompanied by a Q&A addressing likely questions, such as the RTC's relationship to the Navigation Study. Hultman said the Fish and Wildlife Service has also begun discussing possible approaches to publicizing the RTC. He suggested that the August meeting include an opportunity for the EMP-CC to discuss options for rolling out the RTC.

Other Business

Gary Wooten announced that NRCS is reorganizing and will be eliminating its six regional offices, replacing them with three technical service centers. Midwest states, including those of the Upper Mississippi River Basin, will be supported out of a service center located in Texas. The center will have 10 to 20 technical specialists and will support a total of 15 states. Some staff from the six current regional offices will be reassigned to NRCS headquarters. Wooten said it is not yet known how NRCS will be represented on regional groups such as the EMP-CC after the reorganization. However, he said he has recommended measures to ensure that the agency maintains contact with such groups. The reorganization will also result in elimination of the NRCS's university-based institutes, and some changes at headquarters, but will not change NRCS's state office structure.

Barry Johnson announced that Brian Ickes, LTRMP's principal investigator for fisheries, will be taking a three-year leave to pursue his Ph.D. Rather than fill the position from the outside, Johnson said USGS would like to identify someone within the existing program partnership who could serve in this capacity on an approximately half-time basis. USGS will be circulating a position description and seeking expressions of interest in the very near future.

Barb Naramore announced that the upcoming quarterly meeting schedule includes EMP-CC meetings on August 12, 2004 in the Quad Cities; November 18, 2004 in St. Louis; and February 24, 2005 in La Crosse.

With no further business, the meeting adjourned at 12:42 p.m.

**EMP-CC Attendance List
May 20, 2004**

Charles Barton	U.S. Army Corps of Engineers, MVD
Don Hultman	U.S. Fish and Wildlife Service, UMR Refuge
Leslie Holland-Bartels	U.S. Geological Survey, UMESC
Scott Stuewe	Illinois Department of Natural Resources
Diane Ford-Shivvers	Iowa Department of Natural Resources
Amy Denz	Minnesota Department of Natural Resources
Janet Sternburg	Missouri Department of Conservation
Gretchen Benjamin	Wisconsin Department of Natural Resources
Bill Franz	U.S. Environmental Protection Agency, Region 5
Rich Worthington	U.S. Army Corps of Engineers, Headquarters
Brian Markert	U.S. Army Corps of Engineers, MVS
Gary Loss	U.S. Army Corps of Engineers, MVR
Roger Perk	U.S. Army Corps of Engineers, MVR
Marvin Hubbell	U.S. Army Corps of Engineers, MVR
Don Powell	U.S. Army Corps of Engineers, MVP
Tom Novak	U.S. Army Corps of Engineers, MVP
Tim Yager	U.S. Fish and Wildlife Service, Region 3
Jon Kauffeld	U.S. Fish and Wildlife Service, Region 3
Rick Nelson	U.S. Fish and Wildlife Service, Rock Island Field Office
Rick Frietsche	U.S. Fish and Wildlife Service
Linda Leake	U.S. Geological Survey, UMESC
Barry Johnson	U.S. Geological Survey, UMESC
Pat Heglund	U.S. Geological Survey, UMESC
Gary Clark	Illinois Department of Natural Resources
Walt Popp	Minnesota Department of Natural Resources
Mike Wells	Missouri Department of Natural Resources
John Sullivan	Wisconsin Department of Natural Resources
Gary Wooten	Natural Resources Conservation Service
Catherine McCalvin	The Nature Conservancy
Holly Stoerker	Upper Mississippi River Basin Association
Barb Naramore	Upper Mississippi River Basin Association