

**Minutes of the 168th Quarterly Meeting
of the
Upper Mississippi River Basin Association**

**October 24, 2023
St. Louis, Missouri**

Rick Pohlman called the meeting to order at 10:00 a.m. Participants were as follows:

UMRBA Representatives, Alternates, and State Members of the Water Quality Executive Committee:

Rick Pohlman	Illinois Department of Natural Resources
Loren Wobig	Illinois Department of Natural Resources
Chad Craycraft	Illinois Department of Natural Resources
Nicole Vidales	Illinois Environmental Protection Agency
Tim Hall	Iowa Department of Natural Resources
Jake Hansen	Iowa Department of Agriculture and Land Stewardship
Grant Wilson	Minnesota Department of Natural Resources
Glenn Skuta	Minnesota Pollution Control Agency
Patrick Phenow	Minnesota Department of Transportation (Virtual)
Chris Wieberg	Missouri Department of Natural Resources
Chris Klenklen	Missouri Department of Agriculture
Matt Vitello	Missouri Department of Conservation
Levi Woods	Missouri Department of Transportation
Wade Strickland	Wisconsin Department of Natural Resources

Federal UMRBA Liaisons:

Thatch Shepard	U.S. Army Corps of Engineers, MVD (on behalf of Brain Chewning)
Mark Gaikowski	U.S. Geological Survey, Midcontinent Region (Virtual)
Sabrina Chandler	U.S. Fish and Wildlife Service
Travis Black	U.S. Department of Transportation, MARAD

Others in Attendance:

Kirk Hansen	Iowa Department of Natural Resources
Mark Newhall	Iowa Homeland Security and Emergency Management Department (Virtual)
Brian McCoy	Illinois Department of Transportation
Vanessa Perry	Minnesota Department of Natural Resources
Nick Schlessler	Minnesota Department of Natural Resources
Ken Henderson	Missouri Department of Agriculture
Erin Fanning	Missouri Department of Natural Resources
Stacey Fowler	Missouri Department of Transportation
Kevin Krisch	Wisconsin Department of Natural Resources (Virtual)
Sammi Boyd	Wisconsin Department of Natural Resources (Virtual)
Mike Halsted	Wisconsin Department of Transportation, Harbors, and Waterways (Virtual)

LeeAnn Riggs	U.S. Army Corps of Engineers, Mississippi Valley Division
Col. Eric Swenson	U.S. Army Corps of Engineers, St. Paul District
Karl Jansen	U.S. Army Corps of Engineers, St. Paul District
Nathan Wallerstedt	U.S. Army Corps of Engineers, St. Paul District
Marshall Plumley	U.S. Army Corps of Engineers, Rock Island District
Davi Michl	U.S. Army Corps of Engineers, Rock Island District (Virtual)
John Peukert	U.S. Army Corps of Engineers, St. Louis District
Andrew Schimpf	U.S. Army Corps of Engineers, St. Louis District
Brian Markert	U.S. Army Corps of Engineers, St. Louis District
Shawn Sullivan	U.S. Army Corps of Engineers, St. Louis District
Brian Johnson	U.S. Army Corps of Engineers, Regional Planning Division North
Ryan Larsen	U.S. Army Corps of Engineers, Northwestern Division
Colleen Roberts	U.S. Army Corps of Engineers, Kansas City District
Paul Boyd	U.S. Army Corps of Engineers, Kansas City District
Richard Vaughn	U.S. Department of Agriculture, Natural Resources Conversation Service
Katie Flahive	U.S. Environmental Protection Agency, Office of Water
Steve Schaff	U.S. Environmental Protection Agency, Region 7
Jared Schmalstieg	U.S. Environmental Protection Agency, Region 7
John Winter	U.S. Fish and Wildlife Service, UMR Refuges
Heidi Keuler	U.S. Fish and Wildlife Service, Fishers and Farmers (Virtual)
Lauren Larson	U.S. Fish and Wildlife Service, Illinois-Iowa Field Office (Virtual)
Sara Schmuecker	U.S. Fish and Wildlife Service, Illinois-Iowa Field Office (Virtual)
JC Nelson	U.S. Geological Survey, Midcontinent Region
Jim Duncker	U.S. Geological Survey, Central Midwest Water Science Center (Virtual)
Steve Buan	National Oceanic and Atmospheric Administration, NWS (Virtual)
Mike Welvaert	National Oceanic and Atmospheric Administration, NWS (Virtual)
Kim Lutz	America's Watershed Initiative
Lindsay Brice	Audubon (Virtual)
Brent Newman	Audubon (Virtual)
Jo Anne Smiley	Clarksville, City (Virtual)
Anshu Singh	Corn Belt Ports (Virtual)
Bob Sinkler	Corn Belt Ports (Virtual)
Chris Smith	Corn Belt Ports (Virtual)
Kelly Suttles	Environmental Defense Fund
John O'Donnell	Heartlands Conservancy
Gretchen Sabel	League of Women Voters, Upper Mississippi River (Virtual)
Doug Daigle	Louisiana Hypoxia Working Group (Virtual)
Charles Williamson	Neighbors of the Mississippi
Paul Rohde	Waterways Council, Inc.
Rob Levinthal	University of Pennsylvania
Kirsten Wallace	Upper Mississippi River Basin Association
Brian Stenquist	Upper Mississippi River Basin Association
Mark Ellis	Upper Mississippi River Basin Association
Lauren Salvato	Upper Mississippi River Basin Association
Erin Spry	Upper Mississippi River Basin Association
Andrew Stephenson	Upper Mississippi River Basin Association

Minutes

Loren Wobig moved and Tim Hall seconded a motion to approve the draft minutes of the August 8, 2023 UMRBA quarterly meeting and the September 22, 2023 UMRBA Board business meeting as provided in the agenda packet. The motion was approved unanimously.

Executive Director's Report

Kirsten Wallace pointed to the Executive Director's report in the agenda packet for a summary of the Association's work efforts since the August 2023 meeting. Wallace elaborated on the following key events and UMRBA products:

- On October 23, 2023, the St. Louis District hosted UMRBA for a tour of L&D 25 for the purpose of learning more about the Navigation and Ecosystem Sustainability Program (NESP).
- On October 3-4, 2023, UMRBA hosted a workshop in St. Paul, Minnesota for the purpose of accelerating the adoption of multi-benefit conservation practices. The workshop focused on leverage points of change – i.e., places with a complex system where a small change can result in big changes in the adoption of multi-benefit conservation practices.
- On September 13, 2023, UMRBA submitted to Congress its priorities for the Water Resources Development Act (WRDA) of 2024. On September 18-21, 2023, UMRBA staff met with several Congressional offices in Washington, D.C. to request support for the set of priorities. UMRBA also joined a multi-signatory partner letter to Congress, dated October 5, 2023, led by the Interstate Council on Water Policy (ICWP), requesting reform of the Corps' project partnership agreements (PPAs) in WRDA 2024.
- On August 3, 2023, the UMRR Coordinating Committee met on August 3, 2023 to discuss outyear funding scenarios, staffing plans, and programmatic priorities for FY 2024. The Committee programmatic priorities for FY 2024 include enhancing the UMRR HREP selection process, addressing and resolving UMRR implementation issues, developing a new UMRR strategic plan, and hosting a UMRR workshop.
- On August 14-17, 2023, the Mississippi River Commission hosted a series of meetings during its low water inspection tour of the Upper Mississippi River. UMRBA staff provided public comments participated in the Commission's panels related to flood risk and resilience and the Navigation and Ecosystem Sustainability Program (NESP).
- On October 11, 2023, USGS hosted a dedication ceremony for the facility renovations at the Upper Midwest Environmental Sciences Center (UMESC).
- On October 4, 2023, the Rock Island District hosted a groundbreaking ceremony for the Steamboat Island Habitat Rehabilitation and Enhancement Project on the Mississippi River near Princeton, Iowa. Remarks were provided by the Chief of Engineers and Commanding General of the U.S. Army Corps of Engineers, Lt. Gen. Scott A. Spellmon, and USFWS Upper Mississippi River National Wildlife and Fish Refuge Manager.

Wallace pointed to UMRBA's July 2023 through September 2023 financial statements provided on pages B-15 to B-23 of the agenda packet. Loren Wobig moved and Grant Wilson seconded the motion to accept the Association's budget report and balance sheet as included in the agenda packet. The motion was approved unanimously.

UMRBA Water Quality Program

As Chair of the UMRBA Water Quality Executive Committee, Nicole Vidales reported on UMRBA's water quality program in 2023 and its outlook for 2024. Highlights of UMRBA's water quality program include:

- UMRBA is finalizing the How Clean is the River? Report, which is UMRBA's second comprehensive assessment of water quality conditions along the Upper Mississippi River. UMRBA is planning to publish the report and implement a communications plan in January 2024.
- UMRBA is preparing to implement the fixed site monitoring component of the UMRBA Interstate Water Quality Monitoring Plan. The states are planning to collect monthly samples from October 2025 to September 2026 at various fixed sites extending from L&D 2 to Thebes, Illinois. UMRBA is coordinating with USEPA's Region 5 and 7 for partnership opportunities.
- Over the summer, UMRBA has submitted to USEPA Office of Water a three-year work plan for its support of the Hypoxia Task Force's Upper Mississippi River Sub-Basin Committee. The Water Quality Executive Committee is currently considering establishing a more formal committee to convene interstate collaboration on nutrient management. An example of such work is the states' recent discussions about a potential multi-state grant application through USDA NRCS to advance "batch-and-build" arrangements as a means for accelerating conservation practices on agricultural lands.
- On October 3-4, 2023, UMRBA hosted a workshop in St. Paul, Minnesota for the purpose of accelerating the adoption of multi-benefit conservation practices. The workshop focused on leverage points of change – i.e., places with a complex system where a small change can result in big changes in the adoption of multi-benefit conservation practices.

Vidales reported that the WQEC has set priorities for UMRBA's water quality program in 2024 as including:

- Developing a set of position statements regarding emerging contaminants and nutrients, including recommendations for interstate collaboration through UMRBA
- Developing a recreational use survey to understand how water quality perceptions change longitudinally throughout the Upper Mississippi River
- Outlining an approach to advance the states' goals for alignment in their individual water quality standards and assessments

USFWS Nature-Based Projects in the Upper Mississippi River System Floodplain

Sabrina Chandler reported that USFWS allocated \$10 million of its \$120 million Inflation Reduction Act appropriation to implement projects that advance nature-based resiliency and restoration in the Upper Mississippi and Illinois Rivers. Of the \$10 million available, USFWS is allocating 20 percent of those funds to implement projects located on state managed lands. These projects allow for restoration or resilience improvements in ways that would not be eligible through the Upper Mississippi River Restoration program for reasons such as being too small. Chandler discussed the coordination among USFWS, the states, and UMRBA to develop prioritization criteria and select projects. Chandler underscored the value of our regional cooperative partnerships between federal agencies and states.

Kirsten Wallace applauded Chandler’s leadership for securing this investment opportunity and leveraging our shared partnership interests and resources.

Upper Mississippi River Levee Safety Act

On behalf of the Upper Mississippi, Illinois, and Missouri Rivers Association (UMIMRA), Bob Sinkler provided a briefing on UMIMRA’s legislative proposal to purpose and objectives of the Upper Mississippi River Levee and Floodwall Design Standards. On September 27, 2023, Representative Mary Miller and other members of Congress introduced the measure as H.R. 5722. in improving flood protection on the Upper Mississippi River System. As such, the states support the basic purpose and objectives of the Upper Mississippi River Levee and Floodwall Design Standards bill (H.R. 5722),

Loren Wobig expressed support for the measure’s basic purpose and objectives, including by more frequently renewing surface water profiles and flood frequency probabilities. Wobig acknowledge the necessity to improve flood protection in certain places given current understandings of flood frequency probabilities and associated impacts. However, Wobig expressed concern with the bill language, which may be interpreted to allow for levees to be automatically adjusted to increase protection without mitigation for impacts onto others. Wobig stated that adjustments to levee heights and placement must abide by applicable state and federal law. That involves evaluating, acknowledging, and mitigating for any resulting impacts to other areas of the river floodplain.

On behalf of the Neighbors of the Mississippi River, Charles Williams shared its perspective of risk associated with not having federal levee protection. Williams advocated for a systemic planning process with a more fair and equitable stakeholder involvement process, particularly by the people who live and work in the affected areas.

Chris Wieberg noted that the Lower Missouri River Flood Risk and Resiliency Study may be a model authority to apply on the Upper Mississippi River System.

Col. Eric Swenson asked whether a shortened timeframe than 20 years is appropriate for updating water surface profiles and flow frequencies. Col. Swenson mentioned the impact of longer duration floods on levee integrity. He offered the District’s interest in collaborating with partners on solutions.

Drought

State and Federal Agency Management Efforts

UMRBA Board Members and USACE St. Paul District shared status of drought and ongoing drought impacts in their respective geographic areas. Impacts of concern included limited availability of water for livestock, public supply, and navigation as well as the increase risk for fires. They also shared concerns about drought conditions in 2024.

UMRBA Water Availability Cumulative Impact Assessment

Erin Spry reported that, in response to the UMRBA Board’s direction, the *ad hoc* team evaluating the UMR Basin Charter has scoped a three-step process for better understanding water availability – i.e., to develop a cumulative impact assessment. The long-term goal is to assess vulnerabilities in water availability in the Upper Mississippi River System (UMRS) to support multiple water users and uses for the primary purpose

of informing the Upper Mississippi River (UMR) states' evaluation of potential out-of-basin water diversions. As a first step, the *ad hoc* team is recommending focusing on the 9-foot navigation channel as the threshold to develop pool-by-pool assessments using the Corps' pool-specific water control plans as well as stage and discharge data. The three-part process is to:

- Collect states' water use data within the basin from 2017 to 2021
- Calculate a water budget for the Upper Mississippi River Basin at a HUC-6 scale
- Assess water availability, using the 9-foot navigation channel at a threshold for pool-specific assessments

Spry said next steps include securing funding and a contractor. In response to a question from Rick Pohlman, Lauren Salvato clarified that the states have provided in-kind contributions to implement part I (i.e., collecting and aligning the states' water use data) as well as the scenario exercises for implementing the Charter's notification and consultation process in 2022. After a brief discussion about the previous interest expressed from contracts for out-of-basin water diversions, it was noted that the proposals could not demonstrate a beneficial use for that water. If and when a beneficial use is demonstrated, there may be no legal reason to deny the request. Grant Wilson noted the Mississippi River Cities and Towns Initiative recent interest in encouraging an interstate compact governing water use.

Missouri River Flood Risk and Resilience Study

Colleen Roberts presented on the purpose, process, and status of various flood-related studies on the Lower Missouri River. Through the Lower Missouri River Flood Risk and Resiliency Comprehensive Study, the Corps is partnering with Missouri, Iowa, Kansas, and Nebraska to evaluate means for reducing risk and improving resilience to major floods at systemic, reach, and site-specific spatial scales – i.e., “spin-off” studies. Currently, the three areas selected for more refined planning are Hold County/Doniphan County, City of Brunswick, and Jefferson City. The anticipated schedule is to submit to Congress an Interim System Plan Report by December 2023 and the final study by March 2027.

Roberts reported that the Corps is simultaneously advancing a study to improve the performance of the Missouri River Bank Stabilization and Navigation Project. The study is particularly focused on sustaining the navigation channel in light of changing hydrologic conditions and extreme flow regimes. The study will evaluate structural and well as operational and maintenance measure.

Paul Boyd explained the Corps' efforts to renew flow and stage frequency – i.e., the annual probability that a flow will be met or exceeded at a specific location. This dataset is important to inform an assessment of risk. This information will be used in the systemic and more local evaluations of measures needed to reduce that risk or improve resiliency to that risk. Boyd provided a detailed explanation of the methodology and the assumptions – e.g., the hydraulic impact on stage-flow as influenced by tributary backwaters or levees (including potential failures). Boyd said the Corps is planning for outreach in winter 2023 and is encouraging meetings with individual people or stakeholders.

Roberts explained outreach efforts to date on the flood studies, in partnership with Missouri DNR and other state agency partners.

Chris Wieberg applauded Roberts and the team of Corps and state agency staff. The study is a tremendous amount of work, requiring a high degree of stakeholder outreach and engagement. A third

party entity was leveraged to assess the various public interests and to understand their respective perspectives. That has been helpful to ensure there is outreach to all affected interests. Wieberg said the Missouri state government is contributing to the study. The legislature approved \$5 million to-date, and the Administration will be proposing another \$5 million allocation in the next legislative session. Wieberg reiterated Missouri's interest to ensure proper stakeholder involvement throughout the study process.

In response to a question from Shawn Sullivan, Roberts said the current estimated cost for the systemic study is \$7 million. The Federal government is contributing \$4 million and the four partnering states are sharing in contributing the remaining costs.

Mississippi River Cities and Towns Initiative

Safeguarding the Mississippi River Together (SMRT) Initiative

Saskia Pardaans said the Embassy of the Kingdom of the Netherlands is partnering with the Mississippi River Cities and Towns Initiative (MRCTI) and the Andrew Young Foundation to improve the resilience of the Mississippi River related to floods, droughts, water quality, social equity as well as ecological and economic health. Under the umbrella of the Safeguarding the Mississippi River Together (SMRT) initiative, the partnership recently launched a collaborative and planning and project development challenge. The purpose is to provide financial support to local entities to employ an innovative planning process to generate a local or regional adaptation plan and specific local project(s) to implement that plan.

Pardaans anticipates that this challenge will be launched in 2024, pending fundraising of about \$5 million to support the competitive process. The selection process will likely entail one or more multi-day workshops to facilitate information sharing, networking, and collaborative, innovative, and multi-disciplinary planning.

Loren Wobig raised a recent example of a similar competitive planning process. Even without being selected in the end, there was tremendous value in the education and networking and other benefits throughout the process. In response to a question from Wobig, Pardaans said a possible request for UMRBA is a) for its member states to collaborate with the local communities within their jurisdictions in developing a competitive proposal and b) to serve as technical experts in the multi-day workshop(s).

Mississippi River Compact

On behalf of the Mississippi River Cities and Towns Initiative (MRCTI), Alton, Illinois Mayor David Goins spoke about MRCTI's current priorities and partnerships, as including:

- Economic sustainability and environmental stewardship, including through a recent partnership with Red Lake Nation, Leech Lake Band of Ojibwe, and White Earth Nation.
- Reducing plastic pollution, including through a partnership with the United Nations to improve municipal waste management and infrastructure
- Improve drought resiliency, including by proposing an interstate compact among the 10 bordering river states with respect to governing out-of-basin water diversions

Mayor Goins also reported that Congress authorized a major component of MRCTI's SMRT legislation – i.e., a Lower Mississippi River ecosystem restoration program.

Loren Wobig asked if MRCTI has considered the role of a secretariat in its multi-state compact proposal. As an example, the Council of Great Lakes Governors serves as the secretariat to the Governors' Compact Council created by the Great Lakes-St. Lawrence River Basin Water Resources Compact. Colin Wellenkamp explained that, based on international models, MRCTI understands the value of a secretariat. While MRCTI does not currently have a position on who would serve in that role, Wellenkamp offered the potential Mississippi River Program Office that is being proposed in legislation.

Other Business

Future Meeting Schedule

February 2024 (Virtual)

- UMRBA Quarterly Meeting – February 24
- UMRB Coordinating Committee quarterly meeting – February 25

May 2024 in St. Paul, Minnesota

- UMRBA Quarterly Meeting – May 21
- UMRB Coordinating Committee quarterly meeting – May 22

August 2024 in St. Louis, Missouri

- UMRBA Quarterly Meeting – October 24
- UMRB Coordinating Committee quarterly meeting – October 25

With no further business, the meeting adjourned at 3:10 p.m.