

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

**November 15, 2007  
Quarterly Meeting**

**Crowne Plaza Riverfront Hotel  
St. Paul, Minnesota**

Charlie Wooley of the U.S. Fish and Wildlife Service called the meeting to order at 8:03 a.m. on November 15, 2007. Other EMP-CC representative present were Terry Smith (USACE), Mike Jawson (USGS), Rick Mollahan (IL DNR), Martin Konrad (IA DNR), Tim Schlagenhaft (MN DNR), Janet Sternburg (MO DOC), Gretchen Benjamin (WI DNR), and Al Fenedick (USEPA).

**Minutes from the August 23, 2007 Meeting**

Gretchen Benjamin moved and Tim Schlagenhaft seconded a motion to approve the draft minutes of the August 23, 2007 EMP-CC meeting as written. The motion carried unanimously.

**Program Management**

*FY 07 Year-End Report*

Marv Hubbell reported that the EMP completed a very successful fiscal year in September 2007. From an allocation of almost \$22 million, only \$127,000 was not obligated. Hubbell noted that the districts' flexibility in transferring money within the program, but between districts, was one key in achieving this high obligation rate.

Hubbell reviewed several FY 07 highlights, including the LTRMP's receipt of an Interior Department Cooperative Conservation Award and J.F. Brennen's receipt of a Corps National Partnering Award for its work on the Pool 11 Islands project. Major FY 07 initiatives for the EMP included the LTRMP Strategic Planning effort, enhanced public outreach, and a pilot effort to enhance the use of LTRMP data and information for habitat projects. HREPs completed in FY 07 were Long Meadow Slough, Pool Slough, and Pool 8 Islands Stage 1. Contract awards included Pool 8 Islands Phase III, Batchtown, and Lake Odessa Stage 1 Options and Stage 2A.

*FY 08 Appropriations Outlook*

Hubbell noted that the Corps, along with most of the federal government, is currently operating under a continuing resolution authority. Thus, the FY 08 appropriation for EMP is not yet known. Hubbell explained that the House-passed energy and water appropriations measure includes \$23.464 million for the EMP. This is the same amount requested by the Administration. While the full Senate has not yet acted on its bill, the Senate Appropriations Committee approved \$18.0 million for the EMP. For planning purposes, the Corps is assuming the EMP's FY 08 appropriation will be approximately \$20.0 million, with no savings and slippage or rescission. Under this planning assumption, the LTRMP would receive \$6.084 million and HREPs would receive \$13.291 million. Approximately \$625,000 would go to regional administrative costs, including \$100,000 for the System Ecological Team (SET);

\$50,000 for public outreach; and \$150,000 for various program initiatives, including the effort to increase the HREP component's use of LTRMP data. [NOTE: Subsequent to this meeting, an FY 08 omnibus spending measure was enacted, including \$16.851 million for the EMP.]

MVP priorities will include awarding the Pool 8 Islands Stage 3 Options in FY 08, according to Don Powell. He explained that MVP did not have sufficient funding to award the options in FY 07. Powell said MVP will also be trying to do more baseline and performance monitoring this year to enhance its project evaluation capabilities. Brian Markert explained that MVS has structured the Batchtown contracts for maximum flexibility to accommodate different funding scenarios. Hubbell reported that MVR has five projects in the planning stage, with three nearing completion. Lake Odessa has been broken into multiple stages with various options. MVR has also been working with Iowa on a cooperative approach to enhancing project monitoring and adaptive management of projects.

Tim Schlagenhaft asked whether there is a standard process for monitoring HREPs. Hubbell explained that there are some variations in approach across the three districts. Each district spends approximately \$200,000 annually on performance evaluations. All three districts do a post-construction survey to confirm that the project was built according to plan. In addition, the districts' water quality monitoring efforts on the projects are fairly similar. However, their practices when it comes to bio-response monitoring are more variable. Of note, MVS spent approximately \$300,000 on bio-response monitoring for Swan Lake. Hubbell said that, in a relatively recent development, Definite Project Reports (DPRs) now include recommendations on bio-response monitoring for each project. In response to a question from Janet Sternburg, Hubbell indicated that performance evaluation reports are completed for each project. However, Corps staff are looking at options for making these reports more useful. Schlagenhaft requested that the February 2008 EMP-CC meeting include a presentation on which HREPs have had bio-response monitoring, where that information resides, and general findings from the monitoring. Hubbell agreed to provide such information.

#### *Public Involvement and Outreach*

Hubbell reported that Justine Barati from MVR is taking the lead on several EMP outreach efforts. FY 08 priorities will include updating the program web site and developing a mobile museum display. In response to a question from Barb Naramore, Hubbell explained that USACE has let a \$25,000 contract with the Dubuque Museum to refresh an existing permanent display on habitat restoration. Design efforts on this are well underway. Sternburg asked whether the mobile display will be suitable for temporary, outdoor events. Hubbell said that it would not, and is more of a traveling display for museums, visitors' centers, and other public spaces.

#### **Long Term Resource Monitoring Program**

##### *Key Findings/Products from Q4 of FY 07*

Mike Jawson reported that fourth quarter highlights for the LTRMP include three project completion reports and three manuscripts. These reports and manuscripts address a range of topics, including floodplain forest response to large-scale flood disturbance, aquatic macrophyte response to island construction, aquatic vegetation abundance on the Illinois River, backwater limnology, and the power to detect trends. Overall, FY 07 saw publication of two LTRMP technical reports, one USGS open-file report, six project completion reports, and five manuscripts. Nine MSP reports and one APE report are currently in the USGS review process. Twelve MSP products and two APE reports due in FY 07 have been delayed and are being carried over to FY 08, according to Jawson.

In response to a question from Gretchen Benjamin, Jawson explained that an LTRMP technical report is a publication of the LTRM program, whereas an open-file report is a USGS publication. Open-file reports are the typical way within USGS of getting information out in a timely manner. They are used

for projects still in progress, information that is not ready for publication in a peer review journal, or in instances where the delay associated with journal publication is not acceptable. Jawson explained that all USGS publications, including open-file reports, go through multiple layers of review. This includes review by two peers, the appropriate Center Director, and USGS Headquarters for any report on which a USGS employee is an author. Tim Schlagenhaft asked how much time this review process typically adds to the publication process. Jawson replied that the time required is variable, but is generally at least one month.

Janet Sternburg asked whether contract completion reports might serve as a way of providing information to key partners in a more timely manner. Jawson said this is in active discussion. Under the current system, where distribution of the completion reports is limited essentially to the Corps of Engineers, the USGS review requirements do not apply. If, however, the completion reports are going to be publicly available, then the review process would have to be followed.

Marv Hubbell noted that the completion report fulfills a contractual requirement. He said he recognizes that the authors often have a need or desire to publish their work in peer reviewed journals. However, this can introduce a considerable time lag in making their findings available. Hubbell stressed the importance of finding a way to accommodate the publication process while still making important information available to the program partnership in a timely manner. Jawson said the completion report could be expanded to essentially be a draft of the journal manuscript, so long as distribution is restricted. However, if the draft is circulated publicly, then the article would no longer be publishable. Jawson estimated that publication in a peer reviewed journal adds 18-36 months to the timeline, after completion of the USGS internal review process.

Benjamin asked whether a project status sheet would interfere with journal publication. She emphasized the need to get information to managers in a timely manner. Jawson acknowledged the need for information access, while also meeting publication needs. Hubbell said there appears to be a fundamental tension between what serves the needs of managers and authors.

Martin Konrad asked whether the intent is for all APE projects to be publishable. Jawson said this is not the goal and stressed the need to identify the anticipated products for each APE project. If nothing beyond a contract completion report is needed, then there is no reason not to release that report. Jawson suggested that some kind of status report might indeed be a way of sharing important information about findings that will ultimately be published. Jawson said USGS would develop a series of potential options for balancing the need for timely access to information with the need to publish in journals. These options will be presented to the EMP-CC for its consideration.

Benjamin observed that there will be many retirements among LTRMP staff in the coming years. With this in mind, she stressed the need for centralized documentation of the questions that have been asked under the LTRMP and the resulting answers, before considerable institutional memory is lost. Jawson observed that most of what has been produced is in the UMESC library. Barry Johnson acknowledged that there is not currently a comprehensive collection of LTRMP findings in a single location. Moreover, there is no comprehensive list of the questions and answers. Benjamin advocated for creation of such a centralized list that would be updated annually in the future. Without such a record, Benjamin cautioned that the program risks re-asking questions unnecessarily. Jawson observed that creation of such a database, or enhanced bibliography, would not be a trivial undertaking. Noting that it would take considerable effort to capture the last 20 years of inquiries in this fashion, Jawson suggested that this might be a candidate for an administrative APE project. He said USGS would estimate the resources required to develop a consolidated record of LTRMP research questions and results over the program's history and then present that estimate to the LTRMP Strategic Planning Team and the EMP-CC.

Marv Hubbell suggested that it is important for the partners to understand how publication in peer reviewed journals relates to professional development for USGS scientists. Without this insight, Hubbell said it will be difficult for the partners to strike the right balance between timely access to information and staff development needs. Jawson explained that there are two classes of scientists within USGS. For Factor 9 scientists, career advancement is determined entirely by their local managers, though there are still expectations that they will publish in peer reviewed journals. Advancement for Factor 4 scientists is determined largely by an outside peer panel. To advance, Factor 4 scientists must meet the standards of the scientific community. Jawson noted that the LTRMP component specialists are all Factor 4 scientists. Jeff Stoner explained that the emphasis on journal publication stems from USGS's fundamental mission to provide independent science for the public.

#### *FY 08 Scope of Work*

Jawson reported that the LTRMP's FY 08 scope of work is under development and should be completed in December. The Minimum Sustainable Program (MSP) will consist of its standard components of monitoring, analysis and reporting, statistical evaluation, data management, GIS support, and bathymetry support. The MSP will cost \$4.3 million in FY 08.

According to Jawson, USGS, the Corps, and the A-Team chair recently completed their final consolidated ranking of technical Additional Program Element (APE) proposals. Noting the high level of concurrence regarding the rankings, Jawson said the partners generally seem pleased with the changes in the APE selection process this year. He said the development of focal questions and the expectation for increased coordination among investigators combined to produce the highest quality APE proposals thus far. The consolidated rankings resulted in five projects ranked as high, 1 medium-high, 5 medium, 1 medium-low, and 3 low. Jawson noted that the projects ranked as low were not of low quality and would quite possibly be viable projects under a less constrained funding scenario. However, they were of relatively low priority compared with the other proposals. The five highly ranked projects total approximately \$500,000, while the 11 projects ranked medium or above total slightly more than \$1 million. Jawson explained that actual funding decisions on the technical APEs will not be made until the LTRMP's FY 08 budget allocation is determined. The technical and administrative APEs will share the difference between the LTRMP allocation and the \$4.3 million required for the MSP.

Jawson reported that the Status and Trends Report has gone to USGS editorial staff, who are responsible for layout and formatting, as well as a final editorial review. Johnson estimated that the editorial staff will likely complete their work by January 2008.

Hubbell recounted that the development and review process for administrative APEs differs from that used for the technical APEs. Of particular note, there is not a broad solicitation for administrative APE proposals. Moreover, the EMP-CC, rather than the A-Team, is the forum for partner review and prioritization of the administrative APEs. Potential administrative APEs and their estimated costs for FY 08 include the following:

- Status and Trends Report — \$20,000 — modest funding to complete report
- Restoration of monitoring — \$62-65,000 — field work has been completed, assume will be funded if required report is furnished on schedule in December
- Data visualization tools — \$50-55,000 — to maintain the ability to serve data on the web effectively
- Equipment refreshment — \$60,000 — MSP does not include equipment refreshment; items proposed for FY 08 are part of a five-year priority plan
- LTRMP strategic planning — no firm estimate, but likely less than \$100,000 — USGS staff time to support the strategic planning process

- Bathymetry — efforts to do off-channel bathymetry through USACE districts over the past three years have not been successful
- LiDAR — approximately \$700,000 required to complete the system consistent with the pilot approach USACE and Iowa have taken on Pools 8-24 — a potential alternative to bathymetry, various approaches under consideration

Martin Konrad asked about the value and application of LiDAR and bathymetry coverages. Hubbell explained that both can provide a system look at landscape ecology, which is of great value in planning HREPs. Jawson said it is important to talk with managers and see what information they would value most.

Charlie Wooley asked Hubbell how and when USACE wants EMP-CC input concerning the administrative APEs. Barb Naramore observed that there are many variables and options in the administrative APE information just presented. She suggested that an overview, summarizing options and estimated costs, would facilitate the EMP-CC members' internal coordination and response. Hubbell said Corps and USGS staff would prepare a fact sheet detailing the estimated costs of various administrative APE options, describing the scope and applicability of the LiDAR and bathymetry options, and identifying which HREPs would likely benefit from new LiDAR and/or bathymetry data and when those data would be most useful in project planning. It was agreed that each EMP-CC member would then coordinate internally, with a target response back to the Corps by early January, contingent upon receipt of the fact sheet.

Benjamin and Konrad expressed their potential willingness to forego some technical APEs in favor of completing the LiDAR coverage. Jawson said he is not sure the tradeoff is an obvious one. Johnson stressed the need for both LiDAR and bathymetry in order to have a seamless elevation database for the system.

#### *A-Team Report*

Sternburg distributed a written A-Team report. She emphasized that the A-Team is very pleased with the quality of the FY 08 technical APE proposals, and with the collaborative process used in focusing, developing, and prioritizing those proposals. Sternburg said the A-Team received an excellent report on LiDAR that might help the EMP-CC in its deliberations. She also noted that the team had a very good discussion concerning options for outpool sampling, with a focus on what information is most desired and what would be done with that information. Sternburg said A-Team members will be providing feedback concerning outpool sampling to Barry Johnson for the LTRMP Strategic Planning Team's consideration.

#### *Strategic Planning*

Hubbell provided a brief overview of the LTRMP strategic planning process thus far, noting that the Planning Team took a deliberately unconstrained approach at its first meeting, then sought initial partner input on these broad ideas. Subsequent meetings and work have involved a gradual process of narrowing and refining. The Planning Team held its third meeting on October 17-19, at which the team further explored and elaborated on the six draft outcomes (i.e., goals) and their associated outputs (i.e., specific products that support the goals). Hubbell reported that the team made good progress in clarifying and focusing the outcomes, reducing them to five. He explained that the team anticipated prioritizing those outcomes at its next meeting, scheduled for December 17-19. Between now and then, small groups from within the Planning Team will be working further on each outcome, including defining its associated outputs, optional scenarios for achieving the outcomes and outputs, necessary inputs (e.g., personnel, equipment, etc.), and cost estimates. The team anticipates distributing the core of a draft strategic plan for initial partner and stakeholder review in early 2008.

Hubbell expressed satisfaction that the Planning Team's deliberations thus far have been very effective in opening lines of communication and exploring critical issues that have not been meaningfully addressed previously, such as the relationship between the LTRMP and HREP components or the right balance between journal publication and timely access to information. Hubbell voiced the team's deep appreciation for the contributions of its facilitators from Minnesota DNR, Brian Stenquist and Emmett Mullin. He attributed the team's ability to address difficult issues in part to their skillful facilitation. Other members of the Planning Team echoed Hubbell's observations and appreciation for the contributions of Stenquist and Mullin.

Tim Schlagenhaft noted that the Planning Team appreciates the need to consider the LTRMP's future in the context of NESP as well as the EMP, including the potential for a larger program in the future. Martin Konrad stressed the Planning Team's commitment to transparency. While the team does not currently have detailed ideas to share with the broader partnership, the members are eager to develop and distribute a draft plan for partner comment and review. Barb Naramore and Jon Duyvejonck observed that the strategic planning effort should prove useful regardless of whether the LTRMP is being implemented under the EMP, NESP, or a combination thereof during the FY 10-14 timeframe.

### **EMP/NESP Integration Issues**

Marv Hubbell reported that the House and Senate voted to override the President's veto of the 2007 Water Resources Development Act (H.R. 1495, P.L. 110-114). The measure includes authorization of the Navigation and Ecosystem Sustainability Program (NESP) for the UMRS. Hubbell explained that implementation guidance for the various new authorities, including NESP, is under development within the Corps. Terry Smith noted that there are many provisions in WRDA 07 that will require implementation guidance. With this in mind, division and district staff are doing what they can to ensure that NESP will be among the top priorities in issuing guidance.

Martin Konrad recalled that, at its August 2007 meeting, the UMRBA Board decided to take a proactive stance on issues related to NESP/EMP integration, electing to articulate a state vision document addressing these issues. This decision was predicated on an assumption that WRDA 07 would likely be enacted this fall, a lack of discussion among other partners concerning integration issues, and a sense that the states should set forth their joint vision before decision makers in the Administration and Congress start addressing inevitable questions about the future of the two programs. Between the August and November meetings, UMRBA staff worked with the Board, as well as state EMP-CC and NECC members, to draft a vision statement, building on the states' previous integration issues papers and successful pursuit of three key changes to the NESP authority. The Board finalized the vision statement at its November 13 meeting, and will be transmitting the statement to ASA Woodley, OMB, Congress, and others in the near future. Konrad summarized the following major points from the states' joint vision statement:

1. Congress and the Administration are unlikely to fund two independent ecosystem restoration programs for the UMRS over the long-term.
2. The states prefer the NESP authorization as the framework for a single, integrated Corps restoration program on the UMRS that can work with other federal and state programs.
3. There will need to be a transition period, during which both EMP and NESP should receive funding. Upon NESP achieving certain benchmarks and completion of the transition, the EMP authority should be retained, but annual appropriations for EMP should cease.
4. Partners should build on previous efforts in articulating restoration goals and objectives for the UMRS.
5. In the near-term, NECC and EMP-CC should be combined, using the EMP-CC model, with some modifications.

6. Partners should continue consideration of the River Council option over the longer term, while recognizing that this should not keep us from combining the EMP-CC and NECC now.
7. The integrated program must have a strategy for engaging citizens and stakeholders at all levels.

Gretchen Benjamin said the State of Wisconsin understands the need to integrate NESP and the EMP, but emphasized that this is a very difficult thing for Wisconsin to advocate. She noted that the EMP was assumed to continue under the various Navigation Feasibility Study options, and Wisconsin believes the EMP has been a very successful program. However, given the anticipated political realities, Wisconsin has reluctantly concluded that a proactive integration strategy is the best course.

Terry Smith said USACE agrees that the EMP has been highly successful. Faced with an established program that is both authorized and funded (i.e., the EMP) and a newly authorized program that has not yet been funded (i.e., NESP), Smith explained that the Corps will implement both programs, contingent upon funding, until it is told to do otherwise. He emphasized that each program should retain its individual identity until there is some direction to the contrary. However, Smith also emphasized the need to coordinate between the two programs to avoid redundancies.

In response to questions from Mike Jawson, Smith said it is not yet possible to say whether and when the budgeting and appropriations process may lead to implementation of the LTRMP under NESP. Dru Buntin asked Smith whether the forthcoming implementation guidance will likely speak to some of the issues raised in the states' vision statement. Smith declined to speculate, explaining that the guidance will undergo review by both the ASA and OMB. He said the Corps will wait to see what emerges in terms of the final implementation guidance.

Tim Schlagenhaft expressed some frustration with the Corps' reluctance to discuss integration issues. He asked what the appropriate mechanism and forum for this discussion would be. Smith said the Corps will not be in a position to join its partners in making recommendations regarding integration of the two programs. With two authorities, the Corps must simply remain prepared to implement both until such time as it is directed by the Administration and/or Congress to do something different. In response to a question from Konrad, Smith clarified that the Corps is willing to discuss the issues raised in the states' vision, but is constrained in terms of adopting a position or plan until the Administration issues implementation guidance interpreting the new NESP authority.

Konrad said he would like to see the states' vision statement discussed at the February NECC/ECC meeting, with an effort to open lines of communication between NECC and the EMP-CC concerning these issues. Ken Barr expressed willingness to coordinate between the NECC and EMP-CC when there are common issues to be addressed. However, he stressed his need to focus on issues and questions directly before the NECC/ECC. Barr said he would defer to Smith on questions related to integration.

Konrad observed that the EMP-CC has a structure to it that does not appear to exist within the NECC/ECC. He expressed a preference for the EMP-CC's more structured, transparent approach, and said he would like the partners to begin discussions on how they will operate in the future. Barr said USACE could engage in some such discussion, but said it would be limited until the implementation guidance is issued.

Holly Stoerker urged the Corps and others to recognize that the states' vision statement contains different kinds of ideas, some of which the Corps will not be able to engage in even after the guidance is issued. However, there are other ideas in the vision that the implementation guidance is unlikely to address — i.e., implementation details that will be determined by the Corps within the region. Stoerker observed that the Corps should be able to discuss these issues with its partners. She also emphasized

that the states' vision statement was intended to catalyze, not pre-empt, partner discussion...in addition to conveying the states' ideas to key decision-makers.

Smith said he expects the implementation guidance to be issued relatively soon, after which the Corps will be prepared to discuss a range of issues with the partners. Charlie Wooley concurred, noting that the Corps and other federal agencies need to await the implementation guidance before addressing questions related to the future of the two programs.

### **Goals and Objectives for Ecosystem Restoration on the UMRS**

Marv Hubbell reviewed the history of the System Ecological Team's (SET's) efforts and recommendations concerning HREP planning and sequencing. In particular, he recalled the SET's difficulty in comparing fact sheets across districts when it attempted to evaluate proposed projects early in 2007. According to Hubbell, there was simply too much variation among the fact sheets to compare and distinguish projects. As previously reported at the EMP-CC's May and August meetings, SET members were very intrigued with the potential to apply a structured decision making model to HREP planning and sequencing. More specifically, the SET recommended using this decision model, in combination with objectives set with reference to seven non-overlapping habitat types, to evaluate HREP proposals.

Since the August EMP-CC meeting, various Corps staff and the NESP Science Panel have been considering the SET's recommendations in the broader context of the need for system goals and objectives for ecosystem restoration—i.e., goals and objectives that can guide both NESP and EMP, as well as other related efforts on the system. Hubbell said the Science Panel's focus has been on function and process, while the SET has looked at habitat structure. However, Hubbell stressed his belief that these two approaches are fundamentally reconcilable.

Hubbell announced that the Corps intends to hold a January 9-10 workshop that will look at tools and approaches for establishing goals and objectives by geomorphic reach. This workshop will not attempt to determine what those goals and objectives should be, but rather will seek to develop an approach that can then be implemented through a series of workshops for each of the 12 geomorphic reaches. Members of the EMP-CC, NECC, and Science Panel will be encouraged to attend the January workshop. Hubbell said the Corps hopes to hold the reach workshops in the spring through fall of 2008.

Tim Schlagenhaft asked for an example of the kinds of tools and approaches that will be under consideration at the January workshop. Ken Barr explained that the Corps wants to look at the SET's structured decision making model and the Science Panel's system-level, top-down approach to establishing structure and function objectives for the system. The question being asked, according to Barr, is whether these tools can help us arrive at quantified goals and objectives.

### **Habitat Rehabilitation and Enhancement Projects**

#### *Spring Lake Showcase*

Tom Novak presented a showcase focusing on the Spring Lake Islands HREP, located on the Wisconsin side of Pool 5. The project was primarily designed to redress island loss—approximately 90 percent of the island area in Spring Lake was lost between 1930 and 1994. Novak described some of the project's specific features and challenges. Island 1 was only about 20 feet wide and was very difficult to construct. Islands 2 and 3 were tapered at their ends, saving considerable material and creating a more natural look. Coordination of the Spring Lake HREP with channel maintenance activities increased complexity, but demonstrated the benefits of this integration, allowing for the construction of some islands under the O&M program. Novak also noted that the Fish and Wildlife Service's island naming contest was very popular with the public. Original plans called for a water level drawdown to follow island construction, but the timing did not work out on this.

Novak highlighted the following lessons learned from the Spring Lake Islands project:

1. avoid construction of islands in conjunction with a drawdown,
2. construct narrow islands on a granular substrate, and
3. continue to monitor for adaptive management.

Janet Sternburg asked what particular factors led to the selection of Spring Lake for this island project. Don Powell noted that there was good data on the area, which also has the benefit of being isolated and away from the main channel. Tim Schlagenhaft said there will be excellent opportunity in Pool 5 to compare the persistence of post-drawdown vegetation in an area with protective islands (i.e., Spring Lake) to a more open area without islands (i.e., Weaver Bottoms).

#### *Follow-Up on HREP Policy Questions*

Marv Hubbell announced that, with enactment of the NESP authorization as part of WRDA 07, the Corps no longer intends to explore policy questions related to water level management and threatened and endangered (T&E) species projects under EMP. Instead, MVP has developed a water level management proposal for Pool 3 that will be advanced under NESP. Similarly, the Schenimann Chute project, which had raised questions about 100 percent federal funding under EMP based on T&E species benefits, will instead be pursued as a NESP project. Brian Markert explained that Schenimann is formulated for multiple species benefits and would qualify for 100 percent federal funding under NESP by virtue of the project area's location below the ordinary high water mark.

Holly Stoerker cautioned that there could be surprises in the implementation guidance concerning these types of projects. Terry Smith noted that the NESP language specifically identifies drawdowns as authorized project types and said he does not anticipate any complications. Stoerker said she certainly hoped that would be the case, but recalled that previous Administrations have not always opted to implement their various authorities to their fullest extent. The very question of 100 percent federal funding under the EMP based on benefits to T&E species is just one such example.

Janet Sternburg asked about the Corps' increasing emphasis on *aquatic* restoration work and asked whether this is likely to present impediments for the floodplain restoration work authorized under NESP. Smith emphasized that the Corps' ecosystem restoration mission is indeed focused on aquatic systems, noting that there are several other federal agencies charged with managing and restoring terrestrial systems. That being said, incidental benefits to terrestrial systems should not present a problem, according to Smith.

Sternburg asked for clarification regarding how the Corps defines an aquatic ecosystem. Hubbell said the working definition includes all areas within a floodplain. Smith acknowledged that the distinction between aquatic and terrestrial systems is a gray area and is in a state of transition. Schlagenhaft observed that some of the anticipated NESP projects will definitely raise these kinds of boundary issues. If the implementation guidance does not clearly address the distinction, then the partners will have to explore the issues in the context of individual projects. As examples, Schlagenhaft cited questions about 1) the boundary between the mainstem and a tributary and 2) benefits to floodplain forests. Smith observed that the Corps frequently finds itself in competition with other federal agencies as it moves further up into the floodplain.

#### *HREP Database and NESP Decision Support System*

Hubbell reported that Corps staff have completed work to link the GIS and Access components of the HREP database. Plans remain to make the database available to partners and stakeholders via the web, but this will take some additional time. In the interim, Hubbell said the Corps remains willing to run

custom queries to meet people's information needs. He also indicated that the content of the HREP database will be made available to the Corps and USGS staff working to develop the ecosystem restoration decision support system (DSS) for NESP.

### **Section 8(a) Contracting**

Marv Hubbell recalled that Mike Griffin had raised questions concerning Section 8(a) contracting at the August EMP-CC meeting. In particular, Griffin had expressed concern that the EMP does more than its share of Section 8(a) contracting and said he believes that these contracts are more costly. Hubbell explained that he had asked Tom Koopmeiners, a contracting expert from MVP, to address these concerns at today's meeting. However, with the EMP-CC agenda running ahead of schedule today, Koopmeiners was unable to be here. Hubbell said he expects that Koopmeiners would have maintained that Section 8(a) contractors are not consistently more or less expensive than non-8(a) contractors.

Don Powell observed that all federal agencies have Section 8(a) contracting requirements. He said EMP projects can be good candidates for 8(a) contracts because HREPs are relatively small, compared with many Corps projects. However, Powell emphasized that all Corps projects are subject to consideration for Section 8(a) contracting.

Brian Markert identified increased flexibility and communication as one of the advantages of Section 8(a) contracting. Compared with the standard request for proposals and low bid contracting process, there is a much more direct negotiating process with prospective 8(a) contractors. Markert said this produces better communication and enhances the contractor's understanding of the project. Also of note, the 8(a) contractor can talk with contractors who have done similar projects in the past, according to Markert.

Hubbell said he appreciates Griffin having raised these concerns at the August meeting, explaining that his questions provided a good opportunity to talk about something that usually takes place behind the scenes.

### **Other Business**

Barb Naramore announced that the upcoming quarterly meetings are scheduled as follows:

- **February 2008 — St. Louis**
  - UMRBA—February 20
  - **EMP-CC—February 21** (a joint EMP-CC/NECC session was subsequently added to the afternoon of February 21)
  - NECC/ECC—February 22
  
- **May 2008 — Twin Cities** (note change from previously announced location)
  - UMRBA—May 20
  - NECC/ECC—May 21
  - **EMP-CC—May 22**
  
- **August 2008 — La Crosse**
  - UMRBA—August 5
  - **EMP-CC—August 6**
  - NECC/ECC—August 7

With no further business, the meeting adjourned at 12:15 p.m.

**EMP-CC Attendance List  
November 15, 2007**

**EMP-CC Members**

Terry Smith	U.S. Army Corps of Engineers, MVD
Charlie Wooley	U.S. Fish and Wildlife Service, Region 3
Mike Jawson	U.S. Geological Survey, UMESC
Al Fenedick	U.S. Environmental Protection Agency, Region 5
Rick Mollahan	Illinois Department of Natural Resources
Martin Konrad	Iowa Department of Natural Resources
Tim Schlagenhaft	Minnesota Department of Natural Resources
Janet Sternburg	Missouri Department of Conservation
Gretchen Benjamin	Wisconsin Department of Natural Resources

**Others in Attendance**

Terry Birkenstock	U.S. Army Corps of Engineers, MVP
Don Powell	U.S. Army Corps of Engineers, MVP
Tom Novak	U.S. Army Corps of Engineers, MVP
Jeff DeZellar	U.S. Army Corps of Engineers, MVP
Jon Hendrickson	U.S. Army Corps of Engineers, MVP
Marvin Hubbell	U.S. Army Corps of Engineers, MVR
Ken Barr	U.S. Army Corps of Engineers, MVR
Brian Markert	U.S. Army Corps of Engineers, MVS
David Gordon	U.S. Army Corps of Engineers, MVS
Jon Duyvejonck	U.S. Fish and Wildlife Service, RIFO
Don Hultman	U.S. Fish and Wildlife Service, UMR Refuge
Sharonne Baylor	U.S. Fish and Wildlife Service, UMR Refuge
Scott Yess	U.S. Fish and Wildlife Service
Barry Johnson	U.S. Geological Survey, UMESC
Jeff Stoner	U.S. Geological Survey, Minnesota Water Office
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