

**Minutes of the  
73rd Quarterly Meeting  
19th Annual Meeting  
of the  
Upper Mississippi River Basin Association**

**February 16, 2000  
Bloomington, Minnesota**

The meeting was called to order at 9:35 a.m. by Chair Kevin Szcodronski. The following State Representatives and Federal Liaison Representatives were present:

Don Vonnahme	Illinois Representative (IL DNR)
Gary Clark	Illinois Alternate (IL DNR)
Kevin Szcodronski	Iowa Representative (IA DNR)
Jim Hall	Iowa Representative (IA DOT)
Steve Morse	Minnesota Alternate (MN DNR)
Steve Johnson	Minnesota Alternate (MN DNR)
Dick Lambert	Minnesota Alternate (MN DOT)
Jerry Vineyard	Missouri Alternate (MO DNR)
Terry Moe	Wisconsin Alternate (WI DNR)
Ellen Fisher	Wisconsin Alternate (WI DOT)
Dusty Rhodes	U.S. Army Corps of Engineers (MVD)
John Blankenship	U.S. Fish and Wildlife Service (Region 3)
Pete Redmon	U.S. Environmental Protection Agency (Region 5)
Dave Carvey	U.S. Department of Agriculture (NRCS, Midwest Office)
Lt. Scott Bates	U.S. Coast Guard (St. Paul MSD)
George Garklavs	U.S. Geological Survey (WRD, MN Office)
Leslie Holland-Bartels	U.S. Geological Survey (BRD, UMESC)

Others in attendance:

Gordon Farabee	Missouri DOC
Tom Boland	Iowa DNR
Janelle Collier	Minnesota DOT
Mark Dittrich	Minnesota DOT
Rose Hargrave	U.S. Army Corps of Engineers (NWD)
Greg Ruff	U.S. Army Corps of Engineers (MVD)
Tom Pullen	U.S. Army Corps of Engineers (MVD)
John Barko	U.S. Army Corps of Engineers (WES)
Don Powell	U.S. Army Corps of Engineers (MVP)
Albert Schulz	Federal Emergency Management Agency (Region 7)

(Continued)

Attendance (continued):

Bob Clevestine	U.S. Fish and Wildlife Service
Dan Stinnett	U.S. Fish and Wildlife Service
Richard Opper	Missouri River Basin Association
Jim Harrison	Minnesota-Wisconsin Boundary Area Commission
Paul Werner	American Waterways Operators
Dan McGuiness	National Audubon Society
Rick Moore	Izaak Walton League
Chris Brescia	MARC 2000
George Dusenbury	Northeast-Midwest Institute
James Falvey	Mississippi River Basin Alliance
Dean Rebuffoni	Sierra Club
Mary Losure	Minnesota Public Radio
Barb Naramore	Upper Mississippi River Basin Association
Holly Stoerker	Upper Mississippi River Basin Association

### **Agenda Changes**

Chair Kevin Sczodronski announced a number of changes to the agenda, including the addition of comments by Dusty Rhodes on the status of the Navigation Study, comments by Chris Brescia on the Missouri River Master Manual, and an announcement by Dan McGuiness on the release of the UMRCC ecosystem management report. In addition, it was noted that there would be no presentation on the Maritime Administration's FY 2001 budget.

### **Meeting Minutes**

Terry Moe moved and Don Vonnahme seconded a motion to approve the minutes of the November 17, 1999 quarterly meeting as drafted. The motion was approved unanimously.

Terry Moe asked if the Fish and Wildlife Service's Biological Opinion under the Endangered Species Act consultation process was delivered on January 19, as described on page 10 of the November minutes. John Blankenship said the Opinion is scheduled for delivery to the Corps on February 18.

### **Executive Director's Report**

Holly Stoerker reported that the UMRBA's comments on EPA's TMDL guidance were submitted on January 14. There were no changes to the draft of those comments, which the UMRBA reviewed at its November 1999 meeting. In addition, ICWP submitted comments on the interstate aspects of the TMDL guidance. ICWP's comments advocate three options for development of TMDLs on interstate waters. Among those options is the one advocated by UMRBA whereby EPA would take a leadership role in coordination with the states. Stoerker noted that, at last week's Congressional hearing on TMDLs, Carol Collier of the Delaware River Basin Commission testified on behalf of her Commission and ICWP.

EPA Region 5 has asked if the UMRBA Water Quality Task Force would be interested in initiating discussions regarding TMDLs on the Mississippi River. UMRBA staff will be contacting the states' members of the Task Force to discuss their views on how to proceed.

Stoerker explained that UMRBA staff will be starting a new legislative update that may also include other miscellaneous river-related news. It will be distributed electronically on a bi-weekly basis. Those who are interested may request to be added to the distribution list. She also invited feedback on the newsletter format and content once it is distributed.

Terry Moe asked if George Garklavs would be providing any additional details concerning the report on the Federal-State Cooperative Program described in Stoerker's written Executive Director's Report. Garklavs responded that he had not intended to cover it in his budget presentation, but would be happy to entertain questions.

### **Navigation Study**

Dusty Rhodes introduced Greg Ruff who is the new program manager at MVD for the navigation study, EMP, Flood Frequency Study, and other cross-District projects.

Rhodes explained that the February 15 meeting of the Governors Liaison Committee (GLC) was postponed because the draft NED and Tentatively Selected Plans were not publicly released on February 3, as had been planned. Corps Headquarters had outstanding questions about the study conclusions and therefore directed that the Division delay release until a TIGER Team policy review is completed. Rhodes indicated that the review will likely take 2 to 3 weeks, after which Headquarters is expected to issue guidance on how to proceed. Rhodes also explained that the recent press disclosures regarding allegations under the Whistle Blowers Act are unrelated to the policy review. However, given the involvement of the Office of Special Counsel, Corps representatives are limited in what they can publicly discuss about those charges. Rhodes noted that there will be both an internal Administration investigation and Congressional hearings. How these developments will affect the study schedule is not clear. However, Rhodes said the Corps would like to keep the study on schedule, if possible.

### **Interbasin Diversion Consultation**

Chair Kevin Szcodronski explained that the 1989 Upper Mississippi River Basin Charter requires that, at each UMRBA annual meeting in February, the states report on diversion requests that may have been made during the previous year. In response to the Chair's query, no state reported any such diversion. Szcodronski requested that the UMRBA staff transmit letters to each of the five Governors describing the results of the required consultation.

### **Federal Agency Budget Requests**

Chair Kevin Szcodronski explained that the UMRBA prepared testimony on the budgets of a variety of federal agencies last year and has decided to undertake the effort again this year. Toward that end, representatives from each of the federal agencies with river-related responsibilities have been invited to make presentations describing their proposed FY 2001 budget and unmet needs.

Corps of Engineers — Greg Ruff provided overheads showing the breakdown of funds in the MVD budget and a handout showing funding for major projects in each of the three upper river districts. With regard to the General Investigations (GI) budget, Ruff was asked about the Missouri and Middle Mississippi Rivers Enhancement Project, which is described in the

President's budget as a comprehensive study rather than a fish and wildlife enhancement project. Rhodes explained that the Corps would like to do more comprehensive planning. However, the requirement for 50/50 cost-sharing makes such projects difficult, particularly when they are multi-state. The Corps had proposed doing such studies at 100 percent federal cost, but OMB is requiring 25 percent nonfederal share. With regard to the Missouri and Middle Mississippi Rivers project in particular, Rhodes said that he assumed the Northwest Division would have the lead and thus be responsible for identifying the cost share partners.

Ruff noted that the FY 2001 budget request includes \$18 million for the EMP and \$33.1 million for navigation projects, including rehabilitation work at Locks 3, 11, 12, and 24. Terry Moe asked whether the increased authorized appropriations for EMP had been considered in developing the EMP budget for FY 2001. Rhodes explained that OMB was making changes to the Corps budget as recently as 2 or 3 weeks prior to its release, long after EMP reauthorization. Rhodes reiterated his support for the President's budget. Terry Moe commented that the states are eager to discuss the Corps' FY 2001 EMP capability at the EMP-CC meeting on February 17.

Moe also questioned how the apparent difficulties in increasing EMP funding could be reconciled with the interest the Corps has expressed in expanding its authorities and budget. Rhodes said it is a mischaracterization to say that the Corps is trying to expand its program. He explained that the entire Corps program, as well as the EMP, are budget constrained, with capabilities exceeding available funds. There have been few new Corps authorities and the ones that are new are primarily environmental. Moe commented that opportunities for using traditional authorities are being lost while new authorities are being pursued. He cited the example of using the Corps' O&M authority to protect rail beds from erosion.

Chris Brescia asked if the Corps really anticipates \$61.9 million as the balance to complete for pre-construction engineering and design (PED) on the Navigation Study. Ruff characterized the \$61.9 million as an estimate being used for long range planning.

Dan McGuinness asked about a recent FY 2000 reprogramming request that would transfer \$2.5 million to the Devils Lake project from a variety of other projects, including some in the Upper Mississippi River basin. Rhodes explained that the reprogramming request had been denied by the House Appropriations subcommittee, but that the Corps had not yet received a directive from Assistant Secretary Westphal about how to proceed. Gary Clark commented that reprogramming funds from the flow frequency study was understandable, because it is entirely federally funded. However, reprogramming funds from cost-shared studies, with no guarantee that the funds will be replaced, is inappropriate without consulting the cost-share partner. Rhodes explained that the objective was to restore the funding by the fourth quarter so that the projects would not experience any delays. Don Vonnahme indicated that the FY 2001 budget testimony submitted by Illinois' Governor will likely express concern about the Devils Lake reprogramming.

Terry Moe asked if the Lock and Dam 3 rehab funding is for the lock or the embankment. Ruff promised to check and provide the answer later.

Holly Stoerker asked how the EMP can show a \$316 million balance to complete, now that the EMP is a continuing authority. Ruff promised to look into it and Rhodes speculated that it was the cost of completing currently approved habitat projects.

Environmental Protection Agency — Pete Redmon displayed an overhead showing the Clean Water Action Plan funding proposed for EPA in FY 2001. He noted that the Section 319 nonpoint program is scheduled for an increase of \$50 million and Section 106 state program management grants are to increase by \$45 million. Funding for wetland protection grants and water quality cooperative agreements will remain stable. In response to a question, Redmon clarified that the \$45 million increase in Section 106 funding is targeted to TMDL development.

Redmon said that in FY 2000, the five basin states received the following allocations of Section 319 funds in millions of \$: Illinois (8.14), Iowa (4.52), Minnesota (6.83), Missouri (4.57), and Wisconsin (5.12). Holly Stoerker requested that Redmon provide a similar breakdown for Section 106 funding.

Barb Naramore asked what priorities Region 5 has identified for FY 2001. Redmon said that three sub-basins have been targeted for Section 319 funds, including the Whitewater and Minnesota River basins. He also noted that the next EMAP project will likely be in the Midwest and may include all or part of the Mississippi River Basin.

Terry Moe asked that Redmon provide information on other EPA water-related programs that are not included in the Clean Water Action Plan. In particular, Barb Naramore noted that the UMRBA states would be interested in funding proposals for Superfund, Oil Pollution Act (OPA), and state revolving fund (SRF) grants.

Terry Moe asked where EPA's hypoxia efforts could be found in the budget tables. Redmon noted that hypoxia is not a separate line item, but that some of the work is done as part of TMDLs.

Kevin Szcodronski asked about the status of the Region 5 Mississippi River Program Office. Redmon said there is a continuing question about whether the Mississippi River Team is serving a useful function and EPA is seeking feedback from its partners. He explained that the Team has no implementation authority, but rather serves a coordination function. It was designed to help ensure that existing programs consider and address the Mississippi River. Dave Carvey commented that the Region 5 Mississippi River Team also helps other federal agencies to focus on the Mississippi River watershed. Carvey said it would be useful to hear from the state water quality management agencies as well. Terry Moe suggested that UMRBA staff seek feedback from the UMRBA Water Quality Task Force on the Region 5 Mississippi River Team functions.

Natural Resources Conservation Service (NRCS) — Dave Carvey presented a table showing funding levels for a variety of Department of Agriculture programs in FY 1999, FY 2000, and FY 2001. He explained that the \$600 million for Conservation Security in FY 2001 is a new program being proposed by the Administration to provide conservation incentives for private landowners. He also said that most of the 67,000 acre goal for WRP is within the five state Upper Mississippi River region.

Terry Moe asked Carvey to further explain how the proposed changes in USDA funding will impact this region. Carvey offered to get state-by-state figures, but commented, in general, that funding for forestry incentives and emergency watershed protection is being zeroed out. However, funding for the Farmland Protection program is being substantially increased.

In response to a question regarding funding for P.L. 566 projects, Carvey indicated that he would look into it and give the information to UMRBA staff.

Carvey showed a state-by-state breakdown for Conservation Technical Assistance, noting that there were sizeable increases between FY 1999 and FY 2000. However, CRP and WRP technical assistance is being substantially reduced. In addition, there is insufficient funding to handle the need for technical assistance for animal feeding operations.

Carvey also distributed copies of the 1999 Performance Report and fact sheets published by the NRCS Midwest Regional Office. He noted that there should be more discussion of watershed needs in this region because other regions, like the Great Lakes, have special programs. In particular, he cited annual funding of \$500,000 for sediment management grants in the Great Lakes basin.

Coast Guard — Scott Bates reported that the Coast Guard's proposed FY 2001 budget is \$4.99 billion. He presented statistics from 1999 on Coast Guard services related to maritime safety, maritime security, protection of natural resources, maritime mobility, and national defense. Bates was encouraged to provide UMRBA with regional breakdowns of those statistics, if available.

Bates described the Coast Guard's three FY 2001 budget priorities, including service readiness (e.g., boating safety and reserve training), modernization of operational assets (e.g., operating expenses), and marine environmental protection initiatives (e.g., alteration of bridges). With regard to boating safety, Bates explained that no discretionary appropriation is being requested for FY 2001. The budget request for reserve training has been increased to \$80 million from \$74 million in FY 1999. Similarly, operating expenses have been increased by 11 percent, to \$3.26 billion. Operating expenses support deployable law enforcement and activities such as ballast water management related to aquatic nuisance species. In FY 2001, no discretionary appropriation is being requested for bridge alteration because DOT prefers to address such work using the Highway Administration's Federal-Aid Highways Discretionary Bridge program.

Fish and Wildlife Service — John Blankenship presented a series of overheads summarizing major categories within the Fish and Wildlife Service's budget. For Ecological Services work on the UMR, the budget for FY 2001 is expected to remain flat at \$375,000. Blankenship noted that the Service did not receive the \$600,000 increase requested in FY 2000 as part of the Mississippi River Partnership initiative.

According to Blankenship, UMR refuges are expected to see a slight increase in FY 2001 to \$4.985 million. However, he commented that the Upper Mississippi River region is not successfully competing with other national priority areas such as Florida and the arid

Southwest, despite the fact that the Upper Mississippi refuges have the highest annual visitation in the country.

Blankenship noted that the Mark Twain and UMR refuges have a maintenance backlog of \$14 million. Steve Johnson asked why the Service has been so reluctant to pursue EMP projects on refuges, given that the O&M costs for those projects is relatively small (i.e., \$65,000). Blankenship responded that even though the amount may be small, he cannot justify taking on any further obligations when faced with such a substantial backlog. He also noted that the costs of planning EMP projects is more of a challenge than the O&M costs.

Kevin Szcodronski commented that the Service's budget constraints are also a problem for the UMRCC, which lost its coordinator due to staff shortages.

U.S. Geological Survey — Leslie Holland-Bartels reported that the USGS FY 2001 budget is proposed to increase by \$82 million, or 10 percent. Between 1999 and 2000, the budget was essentially flat. Using a series of overheads, Bartels described the main USGS budget themes, including safer communities, livable communities, sustainable resources for the future, and America's Natural Heritage. The last of these categories includes funding for amphibian research and DOI science priorities, such as hypoxia.

George Garklavs explained that the approach to distributing funding within USGS will change to a system which allocates funding through the regional directors and focuses on regional priorities. Nationally, the geographic areas of emphasis are Florida, the Pacific Northwest, and the arid Southwest. Bartels indicated that, in contrast to the past two years, UMESC is not targeted for a decrease.

Garklavs reported that the streamgaging network is slated for an increase of \$4 million. Funding for the Federal-State Cooperative Program will remain stable. He also noted that the business practices of the four divisions are being merged, a move that USGS Director Groat promises will be revenue neutral.

Federal Emergency Management Agency — Al Schulz urged the UMRBA to also review FEMA's budget in the future. He noted that FEMA is currently working with Senator Bond to secure \$23 million in FEMA funding for mapping associated with the Corps' Flow Frequency Study.

### **UMRBA Testimony Strategy**

Kevin Szcodronski urged all the UMRBA Federal Liaison members to provide whatever additional material they can to assist UMRBA staff in drafting testimony that describes how the FY 2001 budget proposal would affect the Upper Mississippi region. Holly Stoerker noted that the due dates for testimony range between March 21 and April 6, depending on which subcommittee and agency the testimony addresses. She emphasized that the timeframe for developing UMRBA testimony is thus very short. UMRBA staff will be distributing drafts by e-mail and requesting very quick turnaround times for review.

### **Missouri River Master Manual Review**

Richard Opper described the role which the Missouri River Basin Association (MRBA) played in developing a preferred operating plan for the Missouri River. He commented that, although some have criticized the Corps of Engineers for abdicating its responsibility, it was a very productive and positive step for the Corps to ask the MRBA to try to fashion a compromise. Opper said the MRBA started with the relatively non-contentious issues, temporarily setting aside the tough issues of drought flow management and endangered species. A series of meetings was held throughout the basin with constituent groups including navigation, marina, fish and wildlife, and water supply interests. The plan that MRBA developed has been endorsed by seven basin states. The tribes have abstained and Missouri has indicated that it cannot support some of the recommendations.

Opper summarized the MRBA's recommended plan with regard to the two most hotly debated issues. On the question of drought flow management, MRBA has recommended a target that is two million acre feet higher than what the Corps allowed the reservoirs to drop to in the 1980s and four million acre feet higher than the Master Manual target. On the question of endangered species, MRBA has recommended a spring rise between Fort Peck and Garrison, but not out of Gavins Point. In addition, MRBA has recommended increased spending on habitat restoration, establishment of a monitoring program, and establishment of a Recovery Committee to ensure all interests are involved in decisions regarding threatened and endangered species.

Opper commented that the future of MRBA's recommended compromise is uncertain, but that the Corps' recently released preferred alternative closely parallels the MRBA plan. However, American Rivers is pushing for a split navigation season and the State of Missouri has continuing concerns related to navigation.

Rose Hargrave of the Corps of Engineers' Northwest Division (NWD) praised the efforts of the MRBA, noting the diversity of interests involved in developing the MRBA alternative. She also noted that there are a number of other ongoing efforts on the Missouri River, in addition to the Master Manual revisions. They include a 1999 WRDA provision increasing the acreage cap for restoration on the lower river, a proposal from Senator Kerrey on river monitoring, funding for a comprehensive study related to the 1999 WRDA habitat enhancement program sponsored by Senator Bond, and a bank stabilization project on the lower river.

Hargrave then distributed a series of handouts and briefly described the history of efforts to revise the Master Manual for operating the series of dams as an integrated system. NWD just released its preferred alternative and is currently preparing a revised draft EIS. The MRBA alternative was one of several proposed alternatives submitted to NWD. Other alternatives were offered by the Missouri River Natural Resources Committee (MRNRC), American Rivers, the Missouri Levee and Drainage District Association, and Mni Sose Intertribal Water Rights Coalition. The MRNRC and American Rivers proposal are identical. Hargrave noted that all of the proposals include the same operational criteria for flood control. However, they differ on many of the other criteria. For example, Hargrave said the recommendations for minimum storage during drought all differ, with the American Rivers proposal having the highest conservation level. With regard to flow enhancement, the MRBA did not recommend set releases from Fort Peck, as did NWD. Such releases would benefit pallid sturgeon and other native fish species. Both MRBA and NWD are recommending flat releases from Gavins Point, while American Rivers is proposing a spring rise to benefit nesting interior least terns

and piping plovers. American Rivers and MRNRC are the only ones recommending a split navigation season. With regard to the NWD's Mississippi River navigation target of 90,000 cfs at St. Louis, Hargrave explained that releases to meet that target would be made only when there is excess storage in the Missouri River reservoirs, at which time the reservoirs would be evacuated anyway. During the period of record, the release would have been triggered in only eight years.

Chris Brescia outlined the concerns that the navigation industry has with the alternatives to the Master Manual. He said that none of the proposals meets the bottom line that the navigation industry had when it entered the negotiations in good faith. The industry had offered to take a service cut in order to keep water in the basin, but wanted compensation. Brescia criticized the way in which the study valued navigation, noting that only river traffic benefits were considered and the benefits of water-compelled rates were not recognized.

Brescia also expressed concern with the use of long term annual averages that do not account for annual variability, which affects the reliability of navigation. In addition, the model is based only on historical flows, which Brescia contended ignores potential future impacts. He commented that the navigation industry had lost trust in the negotiation process and that the solution would ultimately be a political one.

Don Vonnahme asked Rose Hargrave to clarify the relationship between the table that shows zero percent change in benefits to Mississippi River navigation and the table that shows increased Mississippi River navigation costs due to channel inefficiencies. Hargrave explained that the percent change in benefits are relative to the current water control plan.

Holly Stoerker asked how the relatively small percentage changes in benefits were used to select among the alternative plans. Hargrave explained that the percentages are used for screening alternatives in the NEPA process, while absolute valuations are used to determine project justification. Kevin Szcodronski noted that even small percentage differences were sufficient to make or break a compromise.

### **Gulf of Mexico Hypoxia Working Group**

Tom Pullen provided an update on the status of the Integrated Assessment (IA) being prepared by the Gulf of Mexico Hypoxia Working Group. The comment period on the draft IA closed on December 20, 1999. Since that time, the Working Group has been revising the draft IA based upon the comments, including those offered by the UMRBA. After the revised draft is reviewed by the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force and Coordination Committee, it will be transmitted to the White House Office of Science and Technology.

Pullen noted that the UMRBA and others had expressed disappointment with the Working Group's failure to respond to previous public comments on the six scientific reports, which provide the foundation for the IA. He explained that the failure to offer specific responses does not mean that the comments were ignored. To the contrary, Pullen said the comments were considered in making the revisions.

Pullen expressed confidence that the revised IA would clearly address the concern that the scenarios used in the IA not be presumptive of the solutions to be recommended in the Action Plan. Despite the fact that the revised IA will acknowledge alternative hypotheses, Pullen said that not everyone will likely be satisfied with how the issue of scientific certainties is addressed.

With regard to the Action Plan, Pullen said there had been little activity since the November 1999 meeting of the Task Force. Thus, the March 2000 statutory deadline will not be met. Pullen was not confident that the revised August 2000 target would be met either, particularly if the public is to be involved in a meaningful way.

In response to questions, Pullen indicated that no new issues were raised during the comment period on the IA, with the exception of questions regarding altered flow to the Gulf. He also said that no consensus appeared to have been reached in the scientific community on many of the outstanding scientific questions.

### **UMRCC Report**

Dan McGuiness distributed copies of the final report *A River That Works and a Working River*, published by the Upper Mississippi River Conservation Committee (UMRCC) and the National Audubon Society. He acknowledged the contributions of the two sponsoring organizations, as well as the Minnesota-Wisconsin Boundary Area Commission, staff of the Upper Midwest Environmental Science Center, EPA, and the McKnight Foundation.

Kevin Szcodronski noted that the report recommends specific roles and responsibilities for the UMRBA. He suggested that the UMRBA discuss this issue at its next meeting in May.

Jim Harrison reported that the Minnesota-Wisconsin Boundary Area Commission had formally endorsed the report when it met on February 10.

Gordon Farabee announced the joint meeting of the UMRCC and the Lower Mississippi River Conservation Committee, to be held March 20-23 in Cape Girardeau, Missouri.

### **State Legislative Reports**

Iowa — Kevin Szcodronski reported that Governor Vilsack has two key environmental priorities: increasing funding for the Resource Enhancement and Protection (REAP) program and the “Iowa Water Initiatives.” The REAP program, which provides grants to local communities for parks and other local environmental projects, was originally authorized at \$20 million per year through 2021. However, only half that amount is typically provided.

Szcodronski distributed a handout describing the “Iowa Water Initiatives,” which is a joint effort of the Iowa Department of Natural Resources and Iowa Department of Agriculture and Land Stewardship to provide state funding to match various federal program funding. The proposed \$13 million in debt-financed annual state funding is expected to leverage \$60-70 million in annual federal funding. The proposal addresses wetlands protection, rural septic systems, buffer strips, water quality monitoring, watershed management, and a variety of other water initiatives.

Illinois — Don Vonnahme described the growing interest in locating peaking and base flow power plants in Illinois. There are currently 90 applications pending for peaking plants. Illinois appears to be an attractive location due to the fact that many natural gas lines cross the state, the power grid has many intersections in the state, and there is lots of available water for cooling. According to Vonnahme, the increased interest in siting power plants in Illinois has caused a renewed interest in developing state water quantity protection legislation. Instream flow and downstream uses on large surface waters can be protected, but there is no similar authority for groundwater in Illinois. Approximately ten years ago an attempt was made to bring all the interest groups together to draft legislation, but the resulting bill did not ultimately pass the legislature. That draft legislation is now being revived and is currently under review in the Governor's office.

Wisconsin — Terry Moe reported that the Wisconsin legislature has revised the state's approach to controlling nonpoint source pollution. The Wisconsin Department of Natural Resources and Department of Agriculture, Trade, and Consumer Protection are currently in the rulemaking process. The new approach includes mandatory best management practices (BMPs) for animal waste control facilities and prohibitions against some facilities entirely.

Moe also reported that the Perrier bottled water company wants to use groundwater that feeds a high quality Wisconsin trout stream. The state has no authority to regulate such withdrawals unless they would adversely affect a public drinking water supply. DNR has therefore asked the state legislature to expand DNR's authority to regulate groundwater withdrawals.

Minnesota — Steve Johnson reported that Minnesota DNR is hoping to get \$29 million in this legislative session for the Conservation Resource Enhancement Program (CREP).

Missouri — Jerry Vineyard reported that the Missouri Assembly is considering legislation related to water fees, water permits, and bonding authority for stormwater and wastewater treatment facilities.

### **Election of Officers**

Terry Moe moved and Steve Johnson seconded a motion to elect Don Vonnahme as UMRBA Chair and Kevin Szcodronski as Vice-Chair. The motion passed unanimously. Kevin Szcodronski explained that the traditional rotation would suggest that the Wisconsin representative be offered the position of Vice Chair this year. However, since Governor Thompson has not yet appointed a Wisconsin representative, the traditional rotation has been altered. Wisconsin's UMRBA representative may be considered as a candidate for UMRBA Chair next year.

### **Budget Amendment**

Terry Moe moved that the UMRBA's FY 2000 budget be amended by transferring \$1200 from the Travel category to the Equipment category, contingent upon the staff's decision to purchase a binding machine. The motion passed unanimously.

## **Future Meetings**

Holly Stoerker announced that the next two UMRBA quarterly meetings (including the GLC and EMP-CC meetings) are scheduled for May 16-18 in Madison, Wisconsin and August 8-10 in the Quad Cities. It was agreed that the fall meeting will be scheduled for November 14-16 in St. Louis.

With no further business, the meeting was adjourned at 3:25 p.m.