

**Minutes of the
85th Quarterly Meeting
of the
Upper Mississippi River Basin Association**

**February 26, 2003
Rock Island, Illinois**

The meeting was called to order at 9:40 a.m. by UMRBA Vice Chair Mike Wells. The following State Representatives and Alternates and Federal Liaison Representatives were present:

Don Vonnahme	Illinois Representative (IL DNR)
Gary Clark	Illinois Alternate (IL DNR)
John Hey	Iowa Representative (IA DOT)
Dick Vegors	Iowa Representative (IDED)
Steve Johnson	Minnesota Alternate (MN DNR)
Mike Wells	Missouri Alternate (MO DNR)
Ellen Fisher	Wisconsin Alternate (WI DOT)
Steve Cobb	U.S. Army Corps of Engineers (MVD)
Bill Franz	U.S. Environmental Protection Agency (Region 5)
Larry Shepard	U.S. Environmental Protection Agency (Region 7)
Leslie Holland-Bartels	U.S. Geological Survey (UMESC)
Charlie Wooley	U.S. Fish and Wildlife Service (Region 3)
Rich Leonard	Federal Emergency Management Agency (Region 7)
Gary Wooten	U.S. Department of Agriculture (NRCS)

Others in attendance:

Scott Stuewe	Illinois DNR
Lyle Asell	Iowa DNR
Gary Christoff	Missouri DOC
Janet Sternburg	Missouri DOC
Gretchen Benjamin	Wisconsin DNR
Rich Worthington	U.S. Army Corps of Engineers (HQ)
Colonel W.J. Bayles	U.S. Army Corps of Engineers (MVR)
Gary Loss	U.S. Army Corps of Engineers (MVR)
Denny Lundberg	U.S. Army Corps of Engineers (MVR)
Larry Barnett	U.S. Army Corps of Engineers (MVR)
Darryl Carattini	U.S. Army Corps of Engineers (MVR)
Tom Cox	U.S. Fish and Wildlife Service (Port Louisa NWR)
Rick Nelson	U.S. Fish and Wildlife Service (Rock Island Field Office)
Don Hultman	U.S. Fish and Wildlife Service (Upper Mississippi NWR)

Tim Yager	U.S. Fish and Wildlife Service (Region 3)
Al Fenedick	U.S. Environmental Protection Agency (Region 5)
Don Kathan	U.S. Environmental Protection Agency (Region 5)
David Webb	U.S. Coast Guard
Kristina Hynes	U.S. Coast Guard
Dan McGuiness	Audubon
Catherine McCalvin	The Nature Conservancy
Mark Beorkrem	Mississippi River Basin Alliance
Melissa Woods	Representative Ron Kind's Office
Barb Naramore	Upper Mississippi River Basin Association
Holly Stoerker	Upper Mississippi River Basin Association

Meeting Minutes

Don Vonnahme moved and Steve Johnson seconded a motion to approve the minutes of the November 20, 2002 meeting as drafted. The motion was approved by consensus.

Executive Director's Report

Holly Stoerker reported that Congress passed an omnibus spending bill for FY 2003 that included \$12.2 million for the EMP, a substantial decrease from past levels. UMRBA was informed in mid-January that a Senate amendment may be offered to increase EMP funding by \$3 million. In support of that effort, letters were faxed to each of the five states' Senate offices.

On January 3, the contract with the Corps was finalized, securing UMRBA staff services in support of EMP. In addition to EMP-CC meeting support, this contract also includes funding for assistance in preparation of the EMP Report to Congress.

The UMRBA Water Quality Task Force met in Rock Island on December 11 and 12 and has three upcoming conference calls scheduled: March 13, April 2, and May 6. The group is working to develop its report comparing UMR water quality monitoring, 305(b) assessments, 303(d) listings, and standards.

UMRBA staff has been consulting with Representative Ron Kind's office and USGS representatives on how to effectuate the cost-sharing arrangement agreed to last year for the UMR sediment and nutrient monitoring program proposed in past bills introduced by Mr. Kind. The effect of the new provision would be that 1/3 of the \$6.25 million annual appropriation would be made available through the Cooperative Program, and thus cost-shared 50/50. The remaining 2/3 would be made available through the Hydrologic Networks and Analysis Program. In contrast, the bill had previously simply required that nonfederal sponsors pay 25 percent of the costs.

UMRBA's Early Warning Monitoring Network Scoping Group held its third conference call on December 18. The group has narrowed the equipment and parameters of interest and has tentatively identified the Quad Cities area for deployment of the pilot station.

In early February, UMRBA staff completed updates to the UMR Hazardous Spill Response Plan and Resource Manual, including a new protocol governing coordination between responders and the Corps of Engineers. Each agency's primary POC will be responsible for distributing the updated plan within their state or agency.

UMRBA staff has been facilitating conference calls for FEMA, the Corps, and state floodplain managers to discuss floodway computations for the UMR. In particular, the group has reached agreement on how to compute the floodway if states have different encroachment rules. The group will also be helping to coordinate input into the design of the public meetings, scheduled for later this spring to present the results of the Flow Frequency Study.

The Interstate Council on Water Policy (ICWP) will hold its Annual Washington Roundtable on March 12-13. UMRBA staff plans to attend.

Opportunities in the 2002 Farm Bill

Lyle Asell, Iowa DNR Assistant Director for Agriculture and the Environment, described the conservation provisions of the new Farm Bill, emphasizing that the legislation benefits the environment, as well as farmers. For Iowa, which has intensive row-cropping and for which the primary water quality problems are sediment and nutrients, the Farm Bill offers a number of beneficial programs. In particular, Conservation Reserve Program (CRP), Environmental Quality Incentives Program (EQIP), and Conservation Reserve Enhancement Program (CREP) are widely utilized in Iowa.

Asell said that the EQIP rules are currently out for public review, with a comment deadline of March 12. He encouraged states in the Upper Mississippi River basin to provide comments, particularly on the criteria to be used for allocating funding. Asell commented that the criteria place too much emphasis on rangeland. He presented a series of maps showing that the states in this region have some of the highest soil loss, nitrogen runoff, and pesticide application in the country. Yet, the region receives among the lowest EQIP funding per cropland acre. Asell explained that Iowa DNR's comments on the EQIP rules will address the factors used for allocating EQIP funding, performance evaluation, and provisions regarding approval of contracts.

Ecosystem Restoration Colloquium

Holly Stoerker described the discussions and "lessons learned" from a University of Miami Ecosystem Restoration Colloquium that she was invited to attend. The Upper Mississippi River was among five major ecosystem restoration efforts nationwide that were showcased at the colloquium. The others included the Chesapeake Bay, CALFED Bay Delta, South Florida/Everglades, and the Platte River. Stoerker described both the similarities and differences among these geographically large interagency restoration efforts. In particular, she commented on the need for political leadership; the role of stakeholders; the emphasis on water supply and allocation; the role of conflict and crisis; decisions regarding balance and fairness; the role of science; the relevance of geographic scale; the importance of public support and involvement; and governance issues, including the relationship between states and federal agencies.

Rick Nelson, of the Fish and Wildlife Service, and Denny Lundberg, of the Corps of Engineers, both of whom also attended the Miami Colloquium, offered their perspectives as well. They noted the importance of public involvement and political leadership. They also commented that in many of the restoration initiatives that were showcased, there was a willingness and ability to come together to solve problems, despite high levels of conflict and controversy.

FY 2003 Federal Budget

Environmental Protection Agency — Bill Franz distributed a series of tables outlining FY 00 - FY 04 budget allocations to the basin states for each of several EPA water programs. He noted that FY 03 funding for Section 106 grants decreased due to the creation of the new watershed grant initiative. EPA has targeted Earth Day 2003 to announce which watersheds will receive those new grants.

Funding for Section 319 nonpoint programs and Section 104(b)(3) cooperative agreements will remain relatively stable in FY 04. Franz explained that EPA Regions handle Section 104(b)(3) NPDES funding differently. In Region 5, each state receives base funding of \$300,000, with the balance allocated through a competitive process. In Region 7, the entire amount is allocated competitively among states, NGOs, and universities. TMDL funding is also handled differently, with Region 7 requiring that it be used to actually develop TMDLs, rather than collect data to support TMDL development.

Section 104(b) wetlands funding will increase by \$5 million in FY 04. Some states, including Illinois, do not participate in the program.

Corps of Engineers — Greg Ruff described the principles underlying the Corps' FY 04 budget, including a focus on projects that yield the most benefit for the least cost and emphasis on reducing the growing backlog of ongoing construction. He noted that the total FY 04 Civil Works funding request of \$4.2 billion is similar to the FY 03 budget. There are 8 priority projects this year, including the Upper Mississippi River EMP, for which full funding of \$33 million has been requested.

Ruff explained that the FY 04 request includes "completion funds" for the Navigation Study. However, that amount assumes that, in FY 03, the study will receive \$5.8 million, which is \$3 million above the amount included in the recently passed FY 03 omnibus spending bill. Ruff also said the UMR Comprehensive Plan will need an additional \$2 million over FY 03 and FY 04 to complete the plan on schedule. In addition, Ruff commented that the FY 03 EMP funding of \$12.2 million will be extremely difficult. Therefore, an additional \$3 million is being sought in the FY 03 Construction General budget for EMP.

The General Investigations budget for FY 04 includes funding for three new starts in the Upper Mississippi River Basin: Minnesota River Basin; Illinois River Beardstown; and Keith Creek in Rockford, Illinois.

The President's FY 04 budget also includes a proposal to expand use of the Inland Waterway Trust Fund to cost-share O&M of inland waterways. In particular, O&M of high use waterways, defined as those carrying over 5 billion ton-miles on average over the last five

years, would be funded 25 percent from the Trust Fund. O&M of low use waterways would be cost-shared 50-50. Such a proposal would require Congressional authorization. Rich Worthington noted that, because the proposal would bankrupt the Trust Fund by FY 06, it would seem to imply an increase in the fuel tax that supports the Trust Fund.

OMB budget guidance also calls for development of a new economic model for inland waterway benefit analysis. Ruff explained that development of a new model was actually started in FY 03 as an R&D effort and will continue over a five-year period. He noted that contrary to recent press speculation, the UMRS Navigation Study will not be paused to await the new model. The Navigation study will use the Tow Cost Model, with the spatial equilibrium ESSENCE model used for sensitivity analysis.

Ruff explained that OMB budget guidance also calls for performance evaluation of selected programs, including demand management and nonstructural inland navigation measures, non-regulatory wetlands activities, and flood damage reduction.

Coast Guard — Dave Webb distributed copies of a Fact Sheet with background material related to the Coast Guard's FY 04 budget. He noted that the Coast Guard will move to the new Department of Homeland Security, effective March 1. The FY 04 budget reflects 10 percent growth, including increases in operational expenses, acquisitions, and reserve training. The Coast Guard has three organizational goals for FY 04: recapitalization, enhancing homeland security capabilities, and sustaining traditional mission levels near pre-9/11 levels. The UMR may benefit indirectly from the emphasis on recapitalization, which includes replacement of coastal patrol boats and assignment of the older existing coastal boats to service the inland waterways. The enhanced homeland security efforts include establishing port security committees in St. Louis, the Quad Cities, and the Twin Cities.

U.S. Geological Survey — Leslie Holland Bartels said that for the past two years the President's budget request has been significantly below actual appropriations for USGS. In FY 03, \$919 million was appropriated, reflecting a \$5 million increase over FY 02. While the FY 04 request of \$896 million includes cuts, most are not in areas where cuts have previously been proposed, such as the Toxics program and NAWQA. Instead, FY 04 reductions are primarily in the mapping program, reflecting a shift from data collection to increased reliance on cooperators. Program areas that are slated for increases include studies on lands managed by the Department of the Interior; invasive species issues, including ballast water, nutria, and tamarisk; Chronic Wasting Disease; research on amphibian declines; and the National Water Information System.

Natural Resources Conservation Service — Gary Wooten reported that the FY 04 NRCS budget proposal reflects a significant decrease from FY 03. The recently passed FY 03 omnibus spending bill included \$825 million for conservation operations. In contrast, the FY 04 budget request includes \$704 million for conservation operations. Of particular note, the Administration has said that NRCS conservation operations funds cannot be used to provide technical assistance for Farm Bill programs. The Department of Justice has also ruled that the ability to pay for Farm Bill technical assistance out of the Commodity Credit Corporation (CCC) is also limited. Therefore, the future of such technical assistance is unclear.

In response to a question regarding privatization of technical assistance, Wooten explained that USDA is developing rules regarding technical service providers. By March 1, a process should be established to utilize third party providers. Soil and Water Conservation Districts can be involved as federal contractors and as technical service providers. Monitoring of WRP easements is eligible for funding.

U.S. Fish and Wildlife Service — Charlie Wooley said that most of the FWS' primary resource management accounts remain relatively stable in the FY 04 budget. The exception is land acquisition, for which the Administration is proposing a decrease, emphasizing the need to properly care for the lands the Service already owns. Wooley noted that the Ecological Services budget for UMR work is approximately \$375,000, but could be enhanced to meet additional needs related to Corps technical assistance, threatened and endangered species, watershed restoration, water quality assistance, UMRCC support, and aquatic nuisance species. The FY 03 budget for refuges on the Upper Mississippi River totals approximately \$13.4 million and is not likely to change substantially in FY 04. The Fisheries FY 04 budget is also similar to the FY 03 funding level, with an emphasis on migratory species, aquatic nuisance species, and endangered mussels. In particular, the National Fish Hatchery at Genoa, Wisconsin has become a national center of excellence on endangered mussel recovery.

In response to a question regarding the status of efforts to establish a refuge at the confluence of the Mississippi and Missouri Rivers, Wooley explained that those who are interested in partnering to establish such a refuge should make their views known in Washington. In response to a question regarding the difference in acquisition needs between the Mark Twin and Upper Mississippi refuges, Tom Cox and Don Hultman explained that, in addition to some political considerations, there is more unprotected land on the lower river and more flood-related opportunities for acquisition, as some lands become no longer suitable for farming.

Federal Emergency Management Agency — Rich Leonard explained that FEMA will be moved into the new Department of Homeland Security, within the Emergency Preparedness and Response Directorate. Flood map modernization continues to be a major focus. In the past few years, approximately \$60 million/year has been allocated for mapping. The FY 04 budget calls for a four-fold increase in annual spending. In particular, \$200 million is proposed in FY 04, with another \$50 million allocated for mapping from the National Flood Insurance Program.

UMRBA Testimony — Holly Stoerker thanked the federal partners for their presentations. She explained that UMRBA staff will use the testimony from last year as a starting point to draft FY 04 testimony, but will change program areas of emphasis to reflect the various shifts in Administration priorities discussed at this meeting. When staff has completed a draft, it will be e-mailed to UMRBA representatives and alternates for review and comment. Stoerker noted that the review schedule will likely be tight because many of the Appropriation subcommittee due dates are coming up soon.

With regard to the particular issue of the Inland Waterway Trust Fund proposal, UMRBA representatives agreed to consult with policymakers in their respective states to provide input into the development of UMRBA's comments.

Interbasin Diversion Charter

Holly Stoerker explained that the Interbasin Diversion Charter signed by the Governors in 1989 requires that, at the UMRBA Annual Meeting, each state report on out-of-basin diversion requests that may have been made during the previous year. All five UMRBA state representatives reported that no diversion requests exceeding the charter threshold, of 5 million gallons per day average in any 30-day period, had been made. However, Don Vonnahme commented that, as part of a coal initiative by the last Administration, construction of a large coal gasification facility is being considered in Illinois. Such a facility would likely withdraw 30 million gallons per day. However, it would be a consumptive use, rather than a diversion.

UMRBA staff will transmit a letter to each of the five Governors describing the results of the required consultation on interbasin diversions.

Election of Officers

Don Vonnahme moved and John Hey seconded a motion to elect Mike Wells as Chair of the UMRBA. The motion carried unanimously.

Ellen Fisher moved and Steve Johnson seconded a motion to elect Don Vonnahme as UMRBA Vice Chair. The motion carried unanimously.

Future Meeting Schedule

The future quarterly meeting schedule for the combined GLC, UMRBA, and EMP-CC meetings includes May 13-15 in St. Louis and August 5-7 in the Twin Cities. It was agreed that the fall meetings will be held November 18-20 in the Quad Cities. [Note: The location of the November meetings was subsequently changed to La Crosse, Wisconsin.]

With no further business, the meeting was adjourned at 2:35 pm.