

**Minutes of the
117th Quarterly Meeting/30th Annual Meeting
of the
Upper Mississippi River Basin Association**

**February 15, 2011
St. Louis, Missouri**

UMRBA Vice Chair Laurie Martinson called the meeting to order at 9:38 a.m. Participants were as follows:

UMRBA Representatives and Alternates:

Rick Mollahan	Illinois Department of Natural Resources
Pat Boddy	Iowa Department of Natural Resources
Laurie Martinson	Minnesota Department of Natural Resources
Robert Stout	Missouri Department of Natural Resources
Jim Fischer	Wisconsin Department of Natural Resources

Federal UMRBA Liaisons:

Tom Christensen	Natural Resources Conservation Service
Renee Turner	U.S. Army Corps of Engineers, MVD
Bill Franz	U.S. Environmental Protection Agency, Region 5
Charlie Wooley	U.S. Fish and Wildlife Service, Region 3
Dave Bornholdt	U.S. Geological Survey, Midwest Area

Others in Attendance:

Tim Schlagenhaft	Minnesota Department of Natural Resources
Janet Sternburg	Missouri Department of Conservation
Elizabeth Ivy	U.S. Army Corps of Engineers, MVD
Jeff DeZellar	U.S. Army Corps of Engineers, MVP
Gary Meden	U.S. Army Corps of Engineers, MVR
Roger Perk	U.S. Army Corps of Engineers, MVR
Chuck Spitzack	U.S. Army Corps of Engineers, MVR
Ken Barr	U.S. Army Corps of Engineers, MVR
Marvin Hubbell	U.S. Army Corps of Engineers, MVR
Karen Hagerty	U.S. Army Corps of Engineers, MVR
Steve Rumple	U.S. Army Corps of Engineers, MVR
Brian Johnson	U.S. Army Corps of Engineers, MVS
Deanne Strauser	U.S. Army Corps of Engineers, MVS
Kevin Foerster	U.S. Fish and Wildlife Service, UMR Refuge
Bob Clevensine	U.S. Fish and Wildlife Service, UMR Refuge
Jon Duyvejonck	U.S. Fish and Wildlife Service, Rock Island Field Office
Joyce Collins	U.S. Fish and Wildlife Service, Marion Sub-Office
Gwen Kolb	U.S. Fish and Wildlife Service, Partners for Fish and Wildlife
Mike Jawson	U.S. Geological Survey, UMESC
Michael McGinn	Cardno ENTRIX

Pam Hobbs	Geotechnology, Inc.
Gary Loss	HNTB
Paul Schmidt	HNTB
Brad Walker	Izaak Walton League
Tom Boland	MACTEC
Thomas Bennett	Missouri Coalition for the Environment
Lorin Crandall	Missouri Coalition for the Environment
Steve Sletten	PBS&J (Atkins)
Mike Bush	St. Louis Confluence Riverkeeper
Christine Favilla	Sierra Club
Barb Naramore	Upper Mississippi River Basin Association
Dave Hokanson	Upper Mississippi River Basin Association
Kirsten Mickelsen	Upper Mississippi River Basin Association

Announcements

Mike Jawson introduced Dave Bornholdt of USGS's Midwest Area and announced that Bornholdt will be serving as USGS's liaison to UMRBA. Jawson will continue to represent USGS on EMP-CC and NECC. Bill Franz announced that he will be retiring from USEPA in June.

Minutes

Robert Stout moved and Rick Mollahan seconded a motion to approve the minutes of the November 16, 2010 meeting as written. The motion carried unanimously.

Executive Director's Report

Barb Naramore expanded on her written Director's report as follows:

- Contractual work on the EMP Report to Congress (RTC) is nearly complete. UMRBA staff delivered the printed report to USACE in late December and has drafted a four-page brochure that summarizes the RTC. Graphic design and printing for the brochure await USACE's approval of the draft text. Under the same contract, UMRBA has initiated work on the RTC-related Implementation Issues Assessment (IIA).
- State and federal members of UMRBA's *ad hoc* Hydropower Group are addressing various issues raised by the increased interest in hydro development on the UMR. The group is identifying a common set of study needs for proposed projects designed to address a range of operational and resource questions. Staff from the participating agencies are also actively using the group to exchange information regarding specific project proposals.
- The written Executive Director's report includes a Profit and Loss Statement and Balance sheet for the period July 1, 2010 through February 2, 2011, showing year-to-date ordinary income of \$433,170 and expenses of \$382,880.

Jim Fischer and Robert Stout noted that they both find their participation on the Hydropower Group to be quite helpful.

Pat Boddy moved and Robert Stout seconded a motion to accept the Profit and Loss Statement and Balance Sheet dated February 2, 2011 and included in the written Executive Director's report for the meeting. The motion carried unanimously.

Interbasin Diversion Consultation

Laurie Martinson noted that the five states are party to the 1989 Upper Mississippi River Basin Charter. Barb Naramore explained that the Charter sets forth a notification and consultation process for any new or increased water diversion out of the basin that will exceed an average of 5 million gallons per day during any 30-day period. The Charter also requires the signatory states to report on their involvement in qualifying diversion requests at UMRBA's annual meeting. The states reported as follows:

Illinois, Rick Mollahan	— no qualifying diversion requests
Iowa, Pat Boddy	— no qualifying diversion requests
Minnesota, Laurie Martinson	— no qualifying diversion requests
Missouri, Robert Stout	— no qualifying diversion requests
Wisconsin, Jim Fischer	— no qualifying diversion requests

Naramore said she will send the customary letters to the Governors conveying the results of the states' diversion reporting.

Water Quality

Aquatic Life Designated Uses

Dave Hokanson reported that the aquatic life designated uses (ALDU) project, supported by a two-year interagency personnel agreement (IPA) between UMRBA and USEPA, is nearing completion. Peg Donnelly, the EPA staffer assigned to UMRBA via the IPA, has completed her work and UMRBA staff will be finalizing the report.

According to Hokanson, the ALDU project examined available water quality data to determine whether there are longitudinal and/or latitudinal distinctions on the UMR that should be reflected in aquatic life use protection standards under the Clean Water Act (CWA). The draft report, developed in consultation with UMRBA's Water Quality Task Force (WQTF), concludes that there are indeed important strata distinctions from an aquatic life use perspective. Specifically, it recommends three longitudinal distinctions (Upper Impounded, Lower Impounded, and Open River) and four latitudinal distinctions (Main Channel, Side Channel, Backwater Complex, and Impounded). Hokanson presented an example of how such a classification structure might be incorporated into the states' CWA standards. He emphasized that resource constraints, differences among the states, and future flexibility will all be important considerations when integrating strata distinctions into monitoring strategies, criteria, and assessment protocols. Immediate next steps include revising the draft report based on WQTF input and then seeking review by the UMR resource management community, followed by final review and approval from the Water Quality Executive Committee (WQEC) and UMRBA Board. Hokanson said July 1, 2011 is the target for finalizing the ALDU report.

In response to a question from Lorin Crandall, Hokanson said the draft ALDU report does not call for a distinct wetlands stratum because there is very limited water quality data on isolated wetlands in the UMR floodplain.

Laurie Martinson suggested UMRBA's August 16, 2011 meeting as an opportunity for the Board to take action on the ALDU report. She emphasized that it will be the report's recommended framework for enhancing aquatic life use protection on the UMR, not actual water quality criteria, that the Board will be asked to consider in August.

Jim Fischer said the classification system appears reasonable. In response to a question from Fischer, Hokanson said the state WQTF members are supportive of the classification scheme. He added that the WQEC is conceptually on board with the idea of making such strata distinctions, but has not yet considered the draft report's specific recommendations. Martinson urged Hokanson to make certain that the report discusses, at a conceptual level, the recommended classification system's implications for state standards.

Barb Naramore said UMRBA staff will circulate a list of potential reviewers to the WQEC and Board before beginning the resource managers' review process. Naramore also expressed UMRBA's appreciation for Donnelly's valuable contributions to the project and gratitude to USEPA for providing Donnelly's services via the IPA.

Nutrients

Hokanson explained that UMRBA is developing a nutrients report as part of its American Recovery and Reinvestment Act (ARRA)-funded 604(b) water quality project. The draft report reviews UMR mainstem and tributary nutrient monitoring data from a CWA perspective, examining what is known about nutrient levels, trends, and interactions. The report also looks at impacts to CWA designated uses (specifically aquatic life, recreation, and drinking water) and emerging issues and concludes with a findings and recommendations section. Those findings and recommendations touch on the areas of monitoring and data collection, science and research, and CWA implementation.

In developing the report, Hokanson said UMRBA staff have consulted extensively with a broad range of project participants, in addition to the WQTF. A January 11, 2011 session attracted 24 participants and resulted in valuable input for staff in revising the report. Hokanson said next steps include sharing a revised report with the WQTF and other project participants, and then seeking WQEC and UMRBA Board review of a final draft. The target for completing the report is June 1, 2011.

Crandall asked how data used in developing the nutrients report will be made available. Hokanson explained that this report is a synthesis document and does not rely on any new monitoring. As such, the data used in the report should be available directly from the original sources, all of which are cited in the report.

Monitoring Strategy Proposal

Hokanson reported that Illinois EPA has included a proposal to support development of an interstate UMR monitoring strategy in its Section 106 supplemental monitoring request to USEPA. Under the proposal, UMRBA would execute the 22-month project, which would involve a collaborative approach to developing a CWA-focused monitoring strategy for the river that considers chemical, physical, and biological parameters across river strata. Hokanson explained that Illinois and UMRBA staff consulted with the other states' WQTF and WQEC members prior to submitting the proposal. Hokanson said both groups were quite supportive of the proposal, viewing it as a logical next step in building on the work of the ALDU, nutrients, and bio-assessment projects.

Hokanson explained that Illinois was on a very tight timeframe to submit its proposal to USEPA. This precluded formal consultation with the UMRBA Board prior to the proposal's submittal. Naramore noted that, given the support from the states' WQTF and WQEC members and the close connection of this work with UMRBA's ongoing water quality work, staff felt reasonably confident in proceeding to the proposal stage. She observed, however, that she will need formal Board approval prior to executing an agreement with Illinois EPA for the project, which is estimated at \$130,000. Robert Stout moved and Rick Mollahan seconded a motion to authorize Naramore to execute a contract with the Illinois EPA, under which UMRBA will work with its WQTF and WQEC to develop an interstate water quality monitoring strategy for the Upper Mississippi River. The motion carried unanimously.

Cross Programmatic Workshops

Hokanson reported that the WQEC determined in November that the two cross-programmatic workshops funded under UMRBA's 604(b) agreements with the states should both focus on nutrients. The plan is to hold similar, though not necessarily identical, workshops at two different UMR locations in hopes of making the workshops more accessible to a broad range of participants. The workshops will each likely have multiple tracks. Tom Christensen said NRCS would welcome the opportunity to discuss nutrient management strategies and agricultural drainage issues.

Demand for Fracking Sand

Jim Fischer introduced Tom Portle, a non-metallic mining specialist in Wisconsin DNR's Bureau of Waste and Materials Management. Portle was joining the meeting via conference phone. Fischer noted that sand mining activity in the region has increased significantly in response to demand from hydraulic fracturing operators, resulting in increased public concern in some communities.

Fischer provided a brief overview of hydro fracking, explaining that technological advances are enabling energy companies to exploit previously inaccessible oil and natural gas deposits found in shale formations. The operation involves injecting a slurry of water, chemicals, and sand into the formations under high pressure to extract the oil or gas. While the deposits currently being explored and tapped are outside of the UMRB, Fischer explained that Ottawa sand found extensively in this region has particularly attractive properties for use in fracking operations. Specifically, the Ottawa sand is quite pure and very spherical in shape. The superior quality of the sand more than offsets the transportation costs associated with moving it to the fracking operations.

Fischer displayed a schematic for a recently permitted sand mining operation in Trempealeau County and explained that environmental concerns with sand mining primarily relate to stormwater, wastewater, air, and reclamation issues.

Fischer and Portle then described the regulatory framework governing sand mining in Wisconsin. Portle explained that the state's role is primarily one of technical support and quality control for the counties. The state does not regulate siting or operations, which fall to local government as a zoning matter. Portle noted that Wisconsin does have state regulations governing reclamation. In addition, operators must comply with state water and air pollution controls.

Portle said the increased demand for fracking sand has some local units of government struggling to keep up with permit requests. He said most operations near to UMR are underground, explaining that the mining approach in a particular area is a function of where the desirable sand is.

In response to a question from Robert Stout, Portle said local zoning requirements vary widely in Wisconsin. As a result, some brokers specialize in steering mining operators toward good deposits in areas with limited zoning controls. In response to a question from Mike Jawson, Portle said reclamation requirements in Wisconsin are based on the post-mining land use, which in turn is typically a function of geology, the economy of the area, and other factors.

Portle also reported that resin coating operations are also becoming common. This process adds strength to the sand, increasing resistance to crushing and the accumulation of fine particles.

In response to a question from Pat Boddy, Portle said the water quality issues associated with sand mining are quite complex. Bill Franz noted that the fracking activity itself is also giving rise to concerns with groundwater and surface water contamination. In response to a question from Boddy, Portle said he has not seen any indication that Wisconsin will seek to increase its regulation of sand

mining. Stout said Missouri has ongoing issues with siting quarries and mines. Concerns are typically around dust, traffic, and other issues that fall under local zoning control.

Ecosystem and Navigation Updates

EMP/NESP Transition Plan

Marv Hubbell briefly reviewed the series of 2008-2010 Congressional directives calling for an EMP/NESP Transition Plan and described the Corps' efforts thus far to respond to these directives. He reported that General Walsh submitted a draft EMP/NESP Transition Plan to Corps Headquarters on December 22, 2010. Elizabeth Ivy said MVD has not yet heard back from HQ, but said she expects the Plan to be cleared shortly for transmission to the Assistant Secretary's office.

Environmental Management Program

Hubbell reported that the EMP Report to Congress (RTC) was submitted on schedule to MVD on December 1, 2010. MVD has since forwarded the RTC to Corps HQ. He thanked all partners for their contributions to the report, and expressed particular appreciation for the assistance of UMRBA staff in all phases of developing the document. Hubbell noted that this is the third EMP Report to Congress since the program's authorization back in 1986. Key emphases in the 2010 report include EMP's record of accomplishment and the Transition Plan.

Ivy said the RTC appears to be on the same review track at HQ as the Transition Plan. Thus, she expects the two documents will be sent forward to the ASA(CW) and ultimately Congress on approximately the same schedule.

Hubbell said EMP partners will be developing a companion to the RTC that will be known as the Implementation Issues Assessment (IIA). He explained that the IIA is designed to allow partners to explore policy and programmatic issues in greater detail. These are issues that are not expected to result in recommendations for Congressional action, but that may require action by the Corps or other partner agencies. Separating the IIA from the RTC allows more time to explore these issues, and also helped keep the RTC more streamlined. Hubbell briefly reviewed the issues identified thus far for consideration in the IIA, including:

- NGOs as cost share partners
- Construction cost sharing
- States' and Service's capacity for HREP O&M
- HREP operations and maintenance on navigation structures
- Delegated authority
- Land acquisition
- HREP planning and prioritization
- HREP evaluations
- UMRR-EMP habitat project types
- LTRMP program implementation
- Adaptive management
- Emerging trends and issues
- Maintaining state participation with diminishing state resources

Hubbell said the Corps will also be initiating an HREP strategic planning process, which will be similar to the effort completed for LTRMP in 2008. He explained that the HREP Strategic Plan will focus largely at the technical and operational levels, but will be informed by the partners' work on the IIA.

Reach Planning

Chuck Spitzack reviewed the origins and history of the UMRS Reach Planning effort. Between 2005 and 2008, the concepts underpinning the effort were developed, including the 2008 Notebook for System and Reach Planning that outlined a process for setting objectives, identifying and sequencing projects, and identifying adaptive management activities. The Notebook also established the geographic scales, planning cycle, team structure, and planning assumptions for the process and identified standard content for the floodplain reach plans. Spitzack described the partners' efforts to implement the first round of reach planning, which is designed to cover FY 2009-2012. While reach planning did not achieve all that was expected, Spitzack said the overall effort was quite productive. With the reach plans already having been endorsed by the interagency district teams (i.e., the River Resources Forum, River Resources Coordinating Team, and the River Resources Action Team-Exec), Spitzack said the EMP-CC and NECC will be asked to endorse the UMRS Ecosystem Restoration Objectives Report at their joint meeting on February 16.

Navigation and Ecosystem Sustainability Program

Spitzack reported that NESP's FY 11 funding is still very uncertain, given the federal government's continued operation under stopgap funding. He estimated a likely funding range between \$1 million and \$6 million. At the low end of this range, NESP would have to suspend operations for the remainder of the year, according to Spitzack. At the upper end, it would be possible to execute a fairly robust program through the end of FY 11. He noted that the overall funding trend for NESP has generally been downward since the program first received \$11.5 million in preconstruction engineering and design (PED) funding in FY 05. Spitzack observed that NESP's Blueprint for Action outlines a flexible approach to implementation. While the NESP team is making some slight adjustments to the document, it will remain quite useful in guiding program implementation during this period of great budgetary uncertainty.

Spitzack summarized recent correspondence regarding the Inland Marine Transportation System (IMTS) Team's capital plan recommendations. Barb Naramore distributed copies of those letters. On December 21, 2010, ASA(CW) Jo-Ellen Darcy wrote to Jim Oberstar, outgoing Chair of the House Transportation and Infrastructure Committee, expressing the Administration's substantial reservations concerning the IMTS Team's recommendations. In particular, Darcy's letter expresses opposition to the Team's recommended cost sharing changes, describes the recommended fuel tax increase as inadequate, and raises the possibility of introducing industry cost sharing for navigation system O&M. Spitzack noted that the Inland Waterways Users Board responded with a January 18, 2011 letter expressing deep disappointment with the Administration's position, noting that the Corps was well-represented on the IMTS Team that developed the recommendations Darcy criticized so severely in her letter.

UMR Comprehensive Plan

Chuck Spitzack reported that the UMR Comprehensive Plan (Comp Plan) is not funded thus far in FY 11 and is operating with FY 10 carryover funds of \$123,000. As a result, activity has been quite limited, consisting of public involvement workshops for the Iowa-Cedar Plan and a special meeting to hear Missouri citizens' concerns with Plan H of the systemic alternatives. All of these meetings were held in December. He said the December 1, 2010 meeting regarding Plan H included a pre-meeting with public officials and then a public session. Spitzack said local officials and members of the public

from three Missouri counties generally acknowledged the value of a systemic approach to flood risk management, but said they do not support Plan H and believe they were left out of the planning process. In addition to hearing these concerns, Spitzack said Corps participants in the meeting, led by Colonels O'Hara and McGinley, focused on educating participants about the Comp Plan process and findings. They explained that the 2008 Comp Plan Report did not find a federal interest in any of the systemic alternatives evaluated and that Plan H, or any other systemic option, would require considerable additional evaluation before any possible favorable recommendation.

According to Spitzack, the President did not include Comp Plan funding in his FY 11 request, and the House Energy and Water Subcommittee did not include money in its markup. The Senate Energy and Water measure for FY 11 does include \$750,000 in Comp Plan funding, leaving the outlook for the balance of the fiscal year uncertain.

Spitzack stressed that the 2008 Comp Plan Report was a step in fulfilling the Congressional authorization and does not, by itself, represent a comprehensive plan to reduce flood risk on the UMRS. He outlined the following remaining steps to respond fully to the original Congressional study authorization:

1. Plan development follows a long-term, comprehensive watershed approach to integrating flood risk management with multiple uses of the UMR system and watershed and its ecological integrity.
2. Plan consists of interlinking strategies and plans.
3. Plan provides the means for stakeholders to understand the reality of flood risks and the means to minimize risks through effective, complementary policies and actions.
4. Corps facilitates, provides technical support, and prepares reports for the development of strategies and plans for the UMRS.
5. Corps formulates regional plans for the protection of transportation infrastructure.
6. Corps conducts cost-shared feasibility studies for reconstruction of existing flood protection projects and other flood risk management projects that have the potential for federal interest.
7. Corps facilitates, provides technical support, and prepares reports for the development of strategies and plans for each tributary watershed.
8. Corps maintains data, models, and other information necessary for updating strategies and plans for the UMRS.
9. Corps facilitates and provides technical support for updating strategies and plans for the UMRS and tributary watersheds.

Spitzack said he envisions such an approach as an important contribution to the Corps' work with its partners to implement integrated watershed management.

Natural Resources Damage Assessment and Restoration

Charlie Wooley described the Natural Resources Damage Assessment and Restoration (NRDAR) process. He explained that NRDAR is established under federal law to guide federal and state trustees' determination of resource damages and restoration strategies following oil and hazardous materials releases. He explained that there are three steps in the NRDAR process:

1. Preassessment phase — collect data, document pre-incident conditions, and determine if a full injury assessment is warranted.

2. Injury assessment phase — conduct studies to determine the extent, severity, and duration of impacts.
3. Restoration planning phase — identify restoration activities to fully compensate the public for damage to natural resources (may include direct restoration/rehabilitation, or replacement/acquisition of equivalent resources).

Wooley said the Service and Gulf states are currently in the injury assessment phase of the NRDAR for the 2010 Deepwater Horizon spill in the Gulf of Mexico. A Trustee Council is leading the efforts and is composed of trustees from the states of Texas, Louisiana, Mississippi, Alabama, and Florida, and the Departments of Commerce, Interior, and Defense. A Steering Committee and 13 technical working groups are doing the more detailed work. According to Wooley, the bird data collected thus far indicate that most losses have occurred in species that spend the majority of their life cycle in the Gulf. He noted that the data used in NRDAR must be of the highest caliber to ensure that it can meet the rigors of likely court challenges. As an example, he said oil found on affected individuals or in affected areas is typed to see if it matches what was released from the Deepwater Horizon rig.

Wooley urged UMRB states to contact the Steering Committee if they believe trust resources in their states have demonstrably been damaged from the Deepwater Horizon spill. He also welcomed the UMRB states' input as the federal and Gulf state trustees start working to identify restoration opportunities. Laurie Martinson said Minnesota and Wisconsin are partnering on a loon telemetry study to assess possible long term reproduction impacts. Wooley said Gulf researchers are aware of the Minnesota-Wisconsin study and will be eager to see the results, though they understand that those results will not be available for three to five years.

Jim Fischer asked about the deadline for filing to recover on damages to trust resources. Wooley encouraged states to contact Cynthia Dohner, Director of FWS Region 4, as soon as possible concerning any such claims. Wooley said Dohner would work with the Steering Committee to examine potential claims from the UMRB states.

Mike Jawson observed that it will be difficult to link more subtle impacts, like degraded condition of migratory birds, to the Deepwater Horizon spill specifically. However, he said such impacts could have significant cumulative effects of important populations. Wooley agreed that it is difficult indeed to make the case for population effects. However, he said the Service and other trustees are committed to doing a rigorous assessment and will document such impacts to the extent possible. Martinson encouraged Wooley to have the Trustee Council contact the UMRB states if there is additional data or research they need to support their efforts.

Missouri River Authorized Purposes Study

Lamar McKissack reported that the Missouri River Authorized Purposes Study (MRAPS) has not received any FY 11 funding thus far. The study team is thus limited to FY 10 carryover funds and has consequently scaled back study efforts relative to the original FY 11 work plan. The MRAPS team is focused primarily on completing the Scoping Report and has deferred work on the existing conditions inventory. If more normal funding levels are restored for the balance of the year, the Corps may be able to start some efforts, such as hydraulic modeling.

McKissack briefly reviewed the MRAPS study authority and efforts thus far, explaining that 2010 was devoted to specifying problems and opportunities, the first step in the standard Corps planning process. This effort, and the extensive public comments received, are the basis on which the team is developing the study scoping report. McKissack noted that the Corps received more than 1,200 scoping comments and will release its draft scoping report in March 2011. Release of the draft report will be followed by a series of public and tribal scoping feedback meetings. The seven public feedback meetings include a

session scheduled for St. Louis on April 6. The deadline for public and tribal feedback on the draft scoping report is April 30. McKissack said the Corps plans to release its final scoping report in the summer of 2011.

In response to a question from Pat Boddy, McKissack confirmed that the scoping feedback sessions will be held as scheduled, regardless of whether MRAPS receives any FY 11 funding. Barb Naramore asked about development of the Stakeholder Engagement Strategy, which was previously part of the FY 11 work plan. McKissack said this work has been curtailed due to funding limitations. Engagement efforts this year will consist largely of the public and tribal scoping feedback sessions, as well as responding to requests for briefings, such as those provided to UMRBA.

Martinson asked Naramore to review the draft scoping report when it is released, with particular attention to how UMRBA's scoping comments were addressed. Naramore said she would do so and, if warranted, draft a letter on the scoping report for the Board's consideration.

Asian Carp

GLMRIS Scoping Update

Barb Naramore reported that Dave Wethington, the Great Lakes Mississippi River Interbasin Study (GLMRIS) manager, and other Corps staff were unable to attend today's meeting due to conflicts with their scoping meeting schedule. Naramore then provided a brief study overview, explaining that Congress directed the Corps to conduct a feasibility-level analysis of options and technologies to prevent the spread of Asian carp and other aquatic nuisance species between the Great Lakes and Mississippi River Basins. The directive came in WRDA 07, and provides for the study to be conducted at full federal expense. Though the primary focus is on the Chicago Area Waterways (CAWS), the authorization explicitly extends to other aquatic pathways between the two basins. The GLMRIS implementation guidance interprets "prevention" to include risk reduction to the maximum extent possible.

Naramore said the Corps has already made several basic decisions regarding GLMRIS's scope. The study will include a 17-state study area (but not Canada), evaluate hydrologic separation and other means of prevention/risk reduction, focus on aquatic connections (not terrestrial or airborne), and address two focus areas — i.e., CAWS and other pathways.

The study schedule includes a series of 12 public scoping sessions between December 2010 and February 2011, with a March 31, 2011 deadline for scoping comments. Alternative formulation for Focus Area 1, which is the Chicago area, will be underway from spring of 2012 to winter of 2013, with a draft report for public review between the fall of 2014 and winter of 2015. The final risk characterization report for the other pathways (i.e., Focus Area 2) is scheduled for release in fall of 2011. Naramore reported that the Corps will be engaging state and federal agencies via an Executive Steering Committee. She said she understands from Wethington that the Corps has not yet fully launched the Executive Committee, though the states of Illinois and Indiana have already been participating in its meetings. There will also be a stakeholder involvement group to engage interested parties beyond the state and federal agencies. Naramore said she attended the January 20, 2011 GLMRIS scoping session in Minneapolis and took the opportunity to emphasize the importance of inviting all Mississippi River and Great Lakes states to participate on the Executive Committee.

Acknowledging the diverse opinions within the UMRB states on at least some aspects of GLMRIS, Naramore asked Board members whether they would like staff to draft joint scoping comments for their consideration. Jim Fischer said he believes such comments could be quite helpful. Pat Boddy, Robert Stout, and Laurie Martinson also expressed interest in submitting joint comments. Martinson

encouraged Board members to share any state or agency comment letters with Naramore to inform her efforts in drafting a joint letter.

Other Developments

Charlie Wooley reported that Jon Goss is serving as the Asian Carp Coordinator for the federal government, working out of the White House Council on Environmental Quality. Wooley described Goss as a great selection who brings an extensive background in resource management to the position.

Wooley also noted that USGS is doing extensive research on Asian carp control, much of it funded through the Great Lakes Initiative. He reported that the lead for eDNA will transition over the next several months from Notre Dame and the Corps to the Fish and Wildlife Service.

Wooley acknowledged that the Asian carp issue has strained agency relationships in various ways. In particular, pending litigation has frequently limited the ability of professional staff to exchange information and collaborate across agencies. However, Wooley said he believes progress is being made to resolve some of those challenges and allow state and federal agencies to work toward a common end.

Administrative Issues

Laurie Martinson explained that she would likely need to depart for the airport prior to the meeting's scheduled end and thus suggested advancing the administrative issues item in the agenda order. There was no objection to Martinson's request.

403(b) Retirement Plan Amendment

Barb Naramore reported that UMRBA's legal counsel is recommending some minor amendments to the written plan governing the Association's 403(b) retirement program. These changes are designed to comply with new statutes, including the Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART) and the Worker, Retiree and Employer Recovery Act of 2008 (WRERA). Pat Boddy moved and Jim Fischer seconded a motion to adopt the amendments as drafted by UMRBA's attorney. The motion carried unanimously.

Bylaws

Naramore reported that she distributed a package of proposed Bylaws amendments to Board members for their consideration on January 24, 2011. She said the amendments fall into four categories:

1. Changes to more clearly define UMRBA's governance structure
2. Language establishing a new officer position of Treasurer and articulating the duties of that position
3. Language increasing the threshold for second signatures on checks to \$10,000
4. Changes to enhance gender neutrality in the Bylaws text

Pat Boddy moved and Robert Stout seconded a motion to amend UMRBA's Bylaws in accordance with the annotated version provided to the Board on January 24, 2011 by Executive Director Naramore. The motion carried unanimously.

Election of Officers

Martinson reported that Ken Vandermeer, Minnesota DNR's Audit Director, is prepared to serve as UMRBA Treasurer should the Board elect him to that office. Jim Fischer moved and Robert Stout seconded a motion to elect Mike Wells as UMRBA Chair, Pat Boddy as UMRBA Vice Chair, and Ken Vandermeer as UMRBA Treasurer. With no other nominations, the motion carried unanimously.

Boddy thanked Martinson for her service as Vice Chair.

Future Meetings

Naramore reported that UMRBA's next two quarterly meetings are scheduled for May 17 and August 16. Both are in the Quad Cities and will be followed by one or two additional days of EMP- and NESP-related meetings. The Board set its fall quarterly meeting for November 15 in the Quad Cities, confirming its preference for the Quad Cities' central location given agencies' increasing travel constraints.

FY 12 Federal Budget Highlights

Corps of Engineers

Renee Turner reported that the President's FY 12 Civil Works request is \$4.6 billion, down \$259 million from the Administration's FY 11 request. She said the FY 12 request was built from performance-based budgeting, with a strong emphasis on jobs creation. At the major account level, the President's budget breaks down as follows:

	<u>National</u>		<u>MVD</u>	
	<u>FY 11</u>	<u>FY 12</u>	<u>FY 11</u>	<u>FY 12</u>
	(in millions of dollars)			
Investigations	104	104	36	32
Construction	1,690	1,480	68	49
O&M	2,361	2,242	399	394
MR&T	240	210	240	210

Turner said the FY 12 request includes \$18.1 million for EMP, with the UMRS identified as one of the Administration's priority aquatic ecosystems and EMP as one of six priority construction projects across all business lines.

Gary Meden observed that the numbers will, of course, change as Congress acts on FY 12 spending measures. He said the anti-earmarks environment is also introducing considerable uncertainty into the appropriations process. Meden reported that Asian carp-related funding in the President's budget includes \$15 million to construct an additional electric barrier, \$10.5 million to O&M the two existing barriers, and \$3 million for GLMRIS.

U.S. Environmental Protection Agency

Bill Franz reported that the President is requesting \$8.97 billion in FY 12 funding for USEPA, down approximately \$1.3 billion from current FY 11 funding under the continuing resolution. According to Franz, virtually all of this reduction would come from EPA's clean and safe water programs, with most

of cut coming from the state revolving funds (SRFs). He highlighted the following specific funding levels from the President's FY 12 request:

- Section 106 funds— \$250 million, up \$21 million from FY 11
- Section 319 nonpoint grants — \$165 million, down \$36 million from FY 11
- Clean Water SRF — \$1.5 billion, down \$0.5 billion from FY 11
- Drinking Water SRF — \$990 million,, down \$400 million from FY 11
- Homeland Security Infrastructure Protection — \$42 million, down \$23 million from FY 11 (includes Water Sentinel program)

Franz also noted that the President's FY 12 request includes \$6 million for nutrients-related water quality work on the UMR, also a reduction from last year's request.

Natural Resources Conservation Service

Tom Christensen reported that the House is proposing cuts of more than \$170 million to USDA's conservation programs in 2011. These cuts would reduce authorized acreage as well as funding to several programs. Overall, NRCS administers 22 programs with approximately 13,000 FTEs. Of these programs, 10 are discretionary and 12 are mandatory. The President's FY 12 budget request would reduce funding for discretionary programs and increase spending on mandatory programs, for an overall increase in funding to NRCS. Christensen said several programs are slated for elimination under the President's request, including the Small Watershed Program, Grazing Lands Program, and Resource Conservation and Development (RC&D) Program. In response to a question from Janet Sternburg, Christensen said it remains to be determined what would happen to existing RC&D offices if the program's funding is eliminated.

The Environmental Quality Incentives Program (EQIP) would receive \$1.4 billion under the President's request, which would still keep the program below its \$1.7 billion authorized level. Christensen noted that the UMRB states are some of the best funded states under EQIP.

Christensen said USDA's target for annual expenditures under the Mississippi River Basin Initiative (MRBI) is \$80 million. He noted that this is in addition to the baseline conservation funding to the region under national programs. Christensen said he expects MRBI funding will be relatively stable.

U.S. Geological Survey

Dave Bornholdt said the President's FY 12 request includes slightly over \$1 billion for USGS, a figure that is very close to the agency's FY 10 enacted level. However, the FY 12 request includes \$100 million to assume operation of NASA's Landsat imaging work, and thus represents less than flat funding for existing programs. Bornholdt noted that the request includes an increase of \$1 million to study sediment and nutrient issues on the Mississippi River and \$3.5 million for Asian carp research. Among the cuts on the water side, the National Water Quality Assessment (NAWQA) and aquatic drug registration programs would both be reduced. The National Biological Information Infrastructure Program would be eliminated.

U.S. Fish and Wildlife Service

Charlie Wooley briefly reviewed funding to the Fish and Wildlife Service under the American Recovery and Reinvestment Act (ARRA). Service-wide ARRA funding totaled \$279 million, with about 75 percent of projects completed to-date. Region 3 received approximately \$30 million for 72 projects.

Of that \$30 million, approximately 25 percent went to projects in the Upper Mississippi River Basin, including a new refuge operations base in La Crosse.

Wooley reviewed the President's FY 12 request for the Service by major account, noting that Ecological Services, Refuges, and Climate Change and Science Capacity would all receive modest increases relative to FY 11 under the Administration's plan. However, the President has proposed eliminating the National Wildlife Refuge Fund, which is the source for payments in lieu of taxes (PILT) that are used to compensate local communities for the loss of tax base on refuge lands. Wooley acknowledged that eliminating PILT funds will complicate the Service's efforts to work with local communities.

Wooley estimated that between \$750,000 and \$800,000 would be available under the President's FY 12 budget for UMR-related work by the three ecological services field offices on the river. Among the top issues for the field offices will be work on Endangered Species Act listings for the Sheepnose and Spectaclecase mussels. Wooley said the UMR refuges will likely have a base budget of approximately \$8 million for FY 11, down slightly relative to FY 10. He said the President's outyear planning calls for keeping refuge funding level between FY 11-15. Among the FY 11 highlights for the UMRS Refuges will be completion of the final islands in the Pool 8 HREP. Wooley described the Pool 8 Islands project as a great partnership effort. He also reviewed the work of the Service's Genoa hatchery, three Fish and Wildlife Conservation Offices, and Fish Health Center in La Crosse. Wooley said he sees a tremendous opportunity to develop invasive species control mechanisms that can help reclaim the Mississippi, Missouri, and Illinois Rivers for native fish species, and said the Services' Fisheries Program is actively engaged in researching these control options. Dave Bornholdt stressed that USGS is also focusing its control research not only on the Great Lakes but also on the nation's inland rivers.

Marvin Hubbell asked Wooley whether research under the Service's Joint Ventures Program might have applicability to HREP planning and design. Wooley said some of the research could indeed be quite relevant and suggested having a staff person from the Joint Ventures Program make a presentation at EMP-CC's May meeting.

Tim Schlagenhaft requested a brief (1-2 pages) summary of the federal agencies' aquatic nuisance species control research, with a focus on the research goals. Dave Bornholdt said USGS could summarize its research efforts in this way. In response to a question from Ken Barr, Wooley said the Service may launch the Landscape Conservation Cooperatives (LCCs) covering the Great Lakes and UMR in FY 11, if funding permits.

Other Business

Jim Fischer moved and Robert Stout seconded a motion to adjourn. The motion carried unanimously. With no further business, the meeting adjourned at 2:58 p.m.