

**Minutes of the
78th Quarterly Meeting
of the
Upper Mississippi River Basin Association**

**May 15, 2001
Davenport, Iowa**

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

Gary Clark	Illinois Alternate (IL DNR)
Tom Jackson	Iowa Representative (IA DOT)
Jerry Vineyard	Missouri Alternate (MO DNR)
Terry Moe	Wisconsin Alternate (WI DNR)
Stan Shaw	Wisconsin Alternate (WI DATCP)
Steve Cobb	U.S. Army Corps of Engineers (MVD)
Charlie Wooley	U.S. Fish and Wildlife Service (Region 3)
Dave Carvey	U.S. Department of Agriculture (NRCS, Midwest Office)
Bill Franz	U.S. Environmental Protection Agency (Region 5)
Phil Kirk	Federal Emergency Management Agency (Region 7)
Bob Goodwin	Maritime Administration

Others in attendance:

Scott Stuewe	Illinois DNR
Bill Bertrand	Illinois DNR
Tom Boland	Iowa DNR
Joe Engelin	Missouri DNR
Gordon Farabee	Missouri DOC
Gary Christoff	Missouri DOC
Gretchen Benjamin	Wisconsin DNR
Don Powell	U.S. Army Corps of Engineers (MVP)
Charlene Carmack	U.S. Army Corps of Engineers (MVR)
Scott Whitney	U.S. Army Corps of Engineers (MVR)
Steve Johnson	U.S. Army Corps of Engineers (MVR)
Deb Foley	U.S. Army Corps of Engineers (MVS)
Mike Kruckeberg	U.S. Army Corps of Engineers (MVS)
John Barko	U.S. Army Corps of Engineers (ERD)
Jon Duyvejonck	U.S. Fish and Wildlife Service/UMRCC
Rick Nelson	U.S. Fish and Wildlife Service
Robin Grawe	Minnesota-Wisconsin Boundary Area Commission

(Continued)

Attendance (continued):

Renay Leone	The Conservation Fund
Bob Sheehan	Southern Illinois University
Tom Edwards	Private Citizen
Barb Naramore	Upper Mississippi River Basin Association
Holly Stoerker	Upper Mississippi River Basin Association

Meeting Minutes

Terry Moe moved and Jerry Vineyard seconded a motion to approve the minutes of the February 27, 2001 meeting as drafted. The motion was approved by consensus.

Executive Director's Report

Holly Stoerker reported that FEMA Region VII has agreed to serve as a UMRBA Federal Liaison member. Phil Kirk thanked UMRBA for the invitation and indicated that Region VII will be coordinating with Region V on FEMA's representation to UMRBA. Gary Clark commented that FEMA is an important partner for the states on flood and drought issues.

Stoerker provided an update on the work of the ad-hoc planning committee, formed by UMRBA and the Midwest Natural Resources Group (MNRG), to explore how the Corporate Wetlands Restoration Partnership (CWRP) might be used in the Upper Mississippi River Basin. She explained that meetings have been held with wetlands staff in Minnesota, Illinois, and Missouri and that agencies with experience implementing CWRP in coastal areas have been contacted for advice. Some of the issues that the planning committee is exploring include: the role of individual states versus a regional group of states, the role of federal agencies, alternatives for structuring and administering the fund, and the potential level of effort required. Stoerker said that the planning committee intends to bring options forward for UMRBA and MNRG's consideration later in the summer. She also reported that Missouri DNR and DOC have been actively planning establishment of a CWRP in Missouri. In anticipation that UMRBA states will be seeking to establish a CWRP program, the Coastal America Foundation has already established trust accounts for the Upper Mississippi River Basin and the State of Missouri.

Joe Engeln further explained Missouri's CWRP planning efforts, noting that DNR and DOC have been consulting with Coastal America and the Gillette Company for advice. The proposal developed by DNR and DOC will soon be forwarded to the Governor for consideration. It is anticipated that Missouri will establish a CWRP state advisory group composed of state and federal agencies and NGOs and that a regional body of some sort will approve the state's projects. He expressed some concern with having UMRBA serve that regional role because Missouri DOC is not a member of UMRBA. Engeln also indicated that Missouri is concerned about the 10 percent fee that they understand is associated with the use of the Coastal America Foundation account. Therefore, Missouri is considering establishing its own state trust fund. Missouri will also likely establish a Corporate Board that will make the final funding decisions.

Terry Moe commented that Coastal America appears to be playing a more active role in establishing CWRP in the UMRB than he had originally understood. Stoerker explained that Coastal America and CWRP have a particularly close and unique relationship. While there are no CWRP requirements concerning the use of the Coastal America structure, it will likely be a sensitive issue, if the UMRB region seeks to establish a CWRP program.

Stoerker also reported that the Great Lakes Panel on Aquatic Nuisance Species published a policy statement on ballast water management in March 2001. Given that UMRBA had previously indicated a desire to monitor invasive species policy work in the Great Lakes, she asked whether UMRBA would like to consider endorsing the Great Lakes policy. It was suggested that a representative from the Great Lakes Panel be invited to make a presentation at the next UMRBA meeting. This would allow additional time for UMRBA representatives to coordinate their review of the Great Lakes policy with others in their state. Terry Moe suggested that the UMRCC Executive Board be asked to review the policy as well.

Barb Naramore reported on the May 9, 2001 spills equipment demonstration on the Illinois River and Mississippi River near St. Louis. She explained that about 18 months ago, the Coast Guard had consulted with the UMR Spills Group about the possibility of moving the St. Louis-based vessel of opportunity skimming system (VOSS) to Guam. (The VOSS is a sophisticated skimming and booming system that is deployable from a vessel.) Given the limited availability of spill response equipment on the UMR, the UMRBA staff wrote a letter, on behalf of the Spills Group, requesting that the VOSS not be moved until there was an opportunity to assess its potential utility on the UMR. Naramore commented that the recent equipment demonstration of the VOSS and two other fast water booming systems showed their potential utility, as well as their limitations on big rivers. She also noted that the exercise fostered excellent interagency cooperation. Naramore said the Coast Guard would likely be responsive to the recommendation to keep the VOSS in the region.

FY 2002 Federal Budget Testimony

Holly Stoerker distributed copies of the testimony, which UMRBA approved via e-mail and submitted to Congressional appropriations committees, regarding FY 2002 funding for the Corps of Engineers, Department of the Interior (Fish and Wildlife Service and U.S. Geological Survey), Coast Guard, and Department of Agriculture. She also distributed drafts of the testimony for MarAd, EPA, and FEMA, all of which require approval at the May meeting. She noted that the EPA and FEMA testimony include annotated changes suggested by Missouri and Illinois, respectively.

Tom Jackson moved and Terry Moe seconded a motion to approve the draft statements for MarAd, EPA, and FEMA, as annotated. The motion passed unanimously.

Holly Stoerker noted that copies of the testimony on all seven federal agency budgets would be sent to the five state Congressional delegations, as well as the Senate and House Appropriations Committees.

Joint Governors' Letter on Hypoxia Action Plan

Joe Engeln distributed copies of a draft letter that Governor Holden of Missouri and Governor Foster of Louisiana have proposed be sent to federal officials regarding implementation of the Hypoxia Action Plan. They are seeking the support of the Governors of Iowa, Illinois, Minnesota, and Wisconsin as well. Engeln described the letter as supporting the voluntary approaches proposed in the Action Plan and calling for increased funding for infrastructure, given that nutrient contributions from waste water treatment facilities have been underestimated.

In response to questions about how the letter would be coordinated with the other basin states' governors, Engeln noted that Missouri has already discussed the letter with staff in Arkansas and Iowa. Gary Clark recommended that the letter be coordinated with the states' technical staff before requesting the Governors' endorsement from their Washington offices. Terry Moe agreed, noting that the process used to secure signatures for the joint Governors' letter regarding the Missouri River failed to include state agency consultation. He suggested that the Hypoxia Action Plan letter be reviewed by the UMR Water Quality Task Force. Tom Jackson questioned why other Mississippi, Missouri, and Ohio River Basin states were not being asked to sign the letter, given that the Action Plan addresses the entire region.

Joint Governors' Letter on Missouri River Management

Jerry Vineyard described the March 22, 2001 letter that was sent to President Bush by the Governors of nine Mississippi River states. The letter expresses concern that the changes being considered for management of the Missouri River do not adequately consider the impact of Missouri River flows on Mississippi River flows, particularly during low flow periods. The Governors are recommending that the Corps analyze the effects of increased depletions and the effect of Fish and Wildlife Service proposals on the entire Mississippi River system. They are also requesting that the Governors be briefed on the effects of the management alternatives.

Vineyard also explained that Missouri has concerns about whether the spring rise and summer split season recommended by the Fish and Wildlife Service will actually yield the benefits claimed. In addition, Missouri continues to have concerns that the Corps does not plan to consider future depletions in projecting the impacts of proposed Missouri River management changes. He noted that the Missouri River Basin states do not have a charter similar to the interbasin diversion charter signed by Upper Mississippi River Governors.

Tom Jackson distributed copies of a March 20, 2001 "Missouri River Update" explaining Iowa Governor Vilsack's position on releases from Gavins Point Dam. In particular, Iowa does not support releases that will provide increased flows during the spring and decreased flows during the summer for the benefit of the pallid sturgeon, least tern, and piping plover. Iowa continues to support the Missouri River Basin Association (MRBA) recommendations pertaining to drought flow management and environmental improvements. Jackson explained that Governor Vilsack did not sign the March 22 joint Governors' letter because Iowa continues to support the November 19, 1999 MRBA recommendations and feels that the joint Governors' letter is antagonistic to the other Missouri Basin states that endorse the

MRBA compromise. In response to a question about why Missouri does not support the MRBA position, Vineyard explained that Missouri farmers believe that the proposed spring rise would impair their ability to plant crops.

Grand Excursion 2004

Kathy Wine of River Action, Inc. described the plans for Grand Excursion 2004, a celebration commemorating the historic excursion of 1854, when President Millard Fillmore led a steamboat flotilla from Rock Island, Illinois to St. Paul, Minnesota. She explained that 32 cities and 12 organizations have agreed to sponsor the event, which will take place June 25 - July 4, 2004. A wide variety of activities is planned, including a reenactment of the original excursion and flotilla, ribbon-cuttings, tree plantings, fireworks, art exhibits, and costume reenactment events. The 501(c)(3) organization formed to plan the Grand Excursion is hoping to raise \$5 million to support the events. In response to a question about the potential involvement of UMRBA, Gary Clark and Holly Stoerker said that UMRBA would not be in a position to help with fundraising or be directly involved in Grand Excursion activities. However, it was suggested that individual state and federal agencies may wish to coordinate their Mississippi River project activities with Grand Excursion events planned for 2004.

Water Quality Coordination Project

Holly Stoerker reported that UMRBA submitted a grant proposal to EPA Regions 5 and 7 for a two-year interstate water quality coordination project. The proposal is based on the scope of work outlined in the Water Quality Framework document developed by the UMRBA Water Quality Task Force and reviewed by UMRBA. Stoerker said she expects to hear from EPA by the end of May regarding its decision whether to fund the project out of Section 104(b)(3) funds. If the grant is approved, Stoerker said a UMRBA water quality project coordinator would be hired for two years, beginning October 1, 2001. Gary Clark urged EPA to fund the project, characterizing it as an important initiative. Bill Franz said that the UMR project is high on EPA's priority list.

Stoerker also reported that the UMRBA Water Quality Task Force is scheduled to meet on June 7 in Rock Island. Items for discussion will include plans for initiating the water quality coordination project, comments on the Upper Mississippi River Basin Conservation Act (H.R. 1800), ideas for implementing the sub-basin planning recommended in the Hypoxia Action Plan, the UMRCC water quality assessment, and a proposal for a UMR no-discharge zone for onboard waste.

Upper Mississippi River Basin Conservation Act

Holly Stoerker reported that Congressman Ron Kind has revised and reintroduced the Upper Mississippi River Basin Conservation Act (H.R. 1800). She distributed copies of a summary of the bill prepared by UMRBA staff, including a list of changes to the bill from last session. In particular, the new bill includes only the monitoring and modeling

provisions and not the authorizations for expanded USDA conservation programs that were included in the 106th Congress bill (H.R. 4013). According to Stoerker, Congressman Kind has indicated that he will pursue the conservation implementation provisions separately in the context of the Farm Bill reauthorization scheduled for consideration in the 107th Congress. Stoerker also said that the new bill has been changed to be responsive to many of the comments offered last year by UMRBA and others. For example, the cost share provisions have been modified to take into account the states' existing monitoring investments. Jerry Vineyard noted that the definition of the basin has been changed to explicitly include the Meramec and Kaskaskia River sub-basins. Stoerker explained that this change was in direct response to UMRBA's comment that the Basin was incorrectly described in the previous bill.

Stoerker also distributed copies of UMRBA's comments on last year's version of the bill and suggested that the comments be revised to address the new bill. She noted that UMRBA had been asked to testify at hearings last year and that she assumed that UMRBA would want to have testimony ready again this year if there were additional hearings scheduled. Terry Moe said that UMRBA should be prepared to offer comments on the new bill and requested that the UMRBA Water Quality Task Force be consulted in developing those revised comments.

Moe questioned how the WRDA 2000 authorization for the Corps to undertake sediment and nutrient modeling and monitoring relates to the H.R. 1800 provisions that would authorize USGS to undertake similar activities. Stoerker noted that the Corps' sediment and nutrient modeling activities authorized in WRDA 2000 have not been funded. She also commented that WRDA was originally viewed as an opportunity to authorize sediment and nutrient modeling and monitoring. However, now that WRDA has been enacted, the bill's sponsors have not addressed the relationship of the WRDA provisions to the proposed monitoring in H.R. 1800. Steve Cobb commented that it is unlikely that the Corps' WRDA 2000 sediment and nutrient modeling activities will be funded. He also noted that the Corps' Comprehensive Plan authority, which also remains unfunded, specifies that the plan address sediment and nutrients.

Gary Clark asked that UMRBA staff develop revised draft comments on the Upper Mississippi River Basin Conservation Act and distribute them for review by UMRBA representatives, alternates, and Water Quality Task Force members.

Inland Spill Response Mapping Project

Barb Naramore provided an update on the status of the Oil Pollution Act (OPA) mapping and planning project that UMRBA is doing under a cooperative agreement with EPA Region 5. She explained that the purpose of the maps is to provide spill planners and responders with key spatial data regarding resources at risk and potential spill sources. The sub-area plans are a geographically focused effort to coordinate local, state, federal, and private sector responders. The data collection efforts needed to prepare the maps have the ancillary benefit of providing improved information back to the original sources of that data. Project partners include the UMRBA, EPA Regions 5 and 7, the USGS Upper Midwest Environmental Sciences Center (UMESC), and the Great Lakes Commission.

Naramore reported that maps are now complete for all counties immediately bordering the Mississippi River from the Twin Cities to Cairo, Illinois. Limited quantities of the hardcopy version of the maps are available. However, the maps are also available on-line and on CD. According to Naramore, the CD is easy to use and allows ArcView and ArcInfo users to overlay spatial data. Using the UMR Pools 10-15 atlas as an example, Naramore described the way in which the map icons can be used to show spill responders the location and spatial relationship among features such as sensitive species habitat, protected lands, marinas, water intakes, potential spill sources, boat accesses, and dams. Each icon is linked to more detailed information about the feature.

Naramore also described the content of sub-area plans, including the roles and responsibilities of agencies, notification protocols and call roster, response protocols, incident command systems, communications, and waste disposal policies. She noted that the Quad Cities sub-area plan is now available on CD. It is being distributed to response personnel, but is not limited to such.

In response to a question about how the maps are prepared, Naramore explained that UMRBA project staff is responsible for collecting the necessary data and developing the spatial coverages, which are then forwarded to UMESC where the maps are produced. Although new data are incorporated, as changes become known, the current emphasis is on producing first generation maps. Comprehensive updates will be addressed in the future. In this regard, Naramore noted that up-to-date contact numbers are particularly important for responders.

Water Level Management

Dr. Robert Sheehan of the Southern Illinois University made a presentation on the biological effects of pool level management, a tool for creating ecological benefits by using the river's navigation dams to control water levels. In the lower river, Sheehan said the goals of environmental pool management (EPM) include promoting growth of non-persistent wetland vegetation, stabilizing pool level fluctuations during the growing season, and gradually returning to full pool in the fall. Sheehan described the research that has been done in Pool 25 to evaluate the effects of EPM on vegetation, fish and wildlife, and water quality. He noted that the 1999 drawdown should not be considered true EPM because the drawdown duration was too long. However, the 1999 drawdown did result in enhanced vegetative growth, high seed production, and strong waterfowl response. Sheehan also explained the variable invertebrate response associated with vegetated and devegetated plots in Pool 25, noting the increases in edge habitat resulting from this experimental approach.

Sheehan said that the 1999 Pool 25 drawdown also led to isolation of backwaters, causing fish to be trapped and killed due to high water temperatures. DO levels in backwaters also declined as a result of the increased density of vegetation. Sheehan attributed these effects to the fact that the 1999 drawdown was too low. He noted that this overly low drawdown was due to the control method used to manage the pool levels. Hinge point control, which is the method used in Pools 24-26, is not particularly well suited for EPM. Dam point control or pool point control would be preferable, according to Sheehan.

Terry Moe asked how the EPM drawdown in Pool 25 fit within the operational range for that pool, noting that EPM is easier on the lower river pools because of their large operating ranges. Sheehan said that the pool level was not affected much at the hinge point. Mike Kruckeberg said that the drawdown was within the normal operating range, but that daily operations required closely watching a number of variables.

Gretchen Benjamin of Wisconsin DNR made a presentation on water level management in the St. Paul District. She described the planning efforts of a special Task Force formed by the River Resources Forum in the early 1990s to evaluate different water level management options. The resulting Problem Appraisal Report identified a summer growing season drawdown on a pool wide scale as the top priority. Medium priorities included operating on the high or low side of the operating band, isolating and reducing water levels in both small and large backwater areas, increasing the frequency of gate adjustments to smooth out water level changes, and modifying river flow through the dam gates to improve habitat below dams.

Benjamin explained that a 1999 successful drawdown of an isolated backwater at Peck Lake in Pool 8 was followed by an extensive planning effort to identify the best pool for a pool wide drawdown demonstration. Six pools were eliminated from consideration because they had large tributaries, significant dredging problems, or limited backwaters. The remaining Pools (5, 7, 8, and 9) were then evaluated by biologists and presented to the public for consideration in a series of public meetings. Pool 8 was ultimately selected for the drawdown demonstration because the lower pool was likely to benefit from increased vegetation, the dredging quantities were manageable, there was public support for that pool, recreational impacts would be manageable, and there were monitoring opportunities associated with the LTRMP.

Benjamin said that the Pool 8 drawdown had been planned for the summer of 2000, but was postponed because conditions were too dry. The drawdown will likely be initiated this summer instead, beginning on June 11 and returning to normal pool level by October 1. According to Benjamin, anticipated benefits include an increase in the diversity and abundance of emergent plants, sediment drying in exposed areas, and submersed plant increases as a result of increased light penetration. The impacts on recreation, navigation, vegetation, and fish and wildlife will be monitored. Some of the concerns that will be closely monitored are fish kills and mussel stranding, avian botulism, and expansion of purple loosestrife.

Terry Moe commented that there may be a need to address some of the fiscal and policy limitations of pool level management, if it proves to be an effective tool for producing environmental benefits. In particular, Moe cited increased dredging costs and the potential need for navigation scheduling. Tom Jackson commented that water level management demonstrations may show what benefits can be realized while operating within the range that supports navigation. He cautioned against assuming that there will necessarily be trade-offs that must be made. Moe said that it may not be possible to gain the full environmental benefits within navigation parameters. Jackson cautioned against assuming that additional incremental environmental benefits would justify impacts on navigation and urged that such decisions be made on a scientific basis. Bob Goodwin observed that the towing industry has

been a willing participant in pool level management because shippers can continue to operate cost-effectively.

Gary Loss said that water level management has been tried in Pool 13 as well. In 1998, the Corps tried to achieve a 12-inch drop for 60 days at Lock and Dam 13. However, the water rose before the end of the 60 days. Loss said the experiment will be tried again if conditions are right in the future.

Flooding Reports

Wisconsin — Terry Moe reported that a Presidential disaster had recently been declared for a number of Wisconsin counties. Winona, Minnesota experienced its second largest flood this spring and LaCrosse, Wisconsin experienced its third largest. The water is now beginning to drop and is about 4 feet below its flood peak. There have been significant impacts on both commercial and recreational boating. Many communities established slow-no-wake restrictions for recreational craft.

Moe reported that the Corps' St. Paul District recently reopened the river to navigation traffic. However, he expressed concern that it was reopened before the Corps and Coast Guard resurveyed, documented channel conditions, and checked aids to navigation. Moe also said there are serious outdraft problems.

Moe also reported that La Crosse experienced wastewater treatment failures in many areas. System bypasses were necessary to accommodate increased loads resulting from infiltration. This, in turn, necessitated public health warnings. There was also saturation and seepage on levees and groundwater infiltration.

Iowa — Tom Jackson reported that the river is still closed south of Lock and Dam 8, causing problems for fertilizer movements needed this spring. Rail lines also remain underwater, compounding the transportation problems. Jackson reported that he participated in a conference call yesterday with the Corps and Coast Guard to discuss the process for reopening the river. A survey of aids to navigation will be necessary prior to reopening.

Illinois — Gary Clark commented that the lessons learned from the 1993 flood were not forgotten. This year the response was quick and effective, there were fewer problems with illegal levee building, and there was better communication regarding river shutdown. Clark warned, however, that the middle and lower river is still at risk. Significant rains on Iowa tributaries may still have an effect this season. There have been problems in areas that were not necessarily expecting high water levels, such as Quincy and Hannibal. Hannibal peaked at 28 feet, compared to its 1993 flood level of 31 feet.

Missouri — Jerry Vineyard observed that this year's flooding illustrates the differences along the river's length. While there was significant flooding on the upper reaches, on the lower reaches, cities such as St. Louis and Cape Girardeau did not even close their floodgates. In Missouri there were approximately 2200 buyouts of residential properties

following the 1993 flood. However, commercial and industrial use of the floodplain continues to grow, with flood damage considered to be a cost of doing business.

Maritime Administration — Bob Goodwin said that this year was the latest opening on the upper river. There have been some emergency shipments of coal to power plants, but many empty barges are waiting to come upriver to load grain.

Federal Emergency Management Agency — Phil Kirk distributed copies of the May 8 issue of the *Iowa Disaster Recovery* newsletter, published by FEMA and the Iowa Emergency Management Division. He also reported that five Iowa counties were added to the disaster declaration on May 14.

Fish and Wildlife Service — Charlie Wooley commented that the large size of the floodplain on the Minnesota River refuge has garnered considerable public attention in the Twin Cities area during this flood event.

Minnesota-Wisconsin Boundary Area Commission — Robin Grawe said that the second crest on the upper reaches of the river was more damaging in many areas than the first, due to seepage. According to Grawe, the public reaction to this year's flood event seems to be particularly strong. There is more public discussion of the need to increase the level of flood protection and the importance of wetlands.

UMRBA FY 2002 Budget

Holly Stoerker explained that the draft UMRBA budget for FY 2002 assumes that the EPA grant for the water quality coordination project will be approved. In the event that it is not approved, the UMRBA budget could be revised at the August 2001 meeting. She also noted that the decision has been made to discontinue the newspaper clipping services and distribution of the monthly *Mississippi Clippings* in its current form. Thus, the proposed publications budget line item will be reduced from \$4200 to \$2700. Terry Moe moved and Jerry Vineyard seconded a motion to approve the UMRBA FY 2002 budget as proposed by staff, with the publications line item amendment described by Stoerker. The motion was unanimously approved.

Future Meetings

Holly Stoerker announced that the UMRBA's future meeting schedule includes August 7, 2001 in La Crosse and November 14, 2001 in St. Louis. It was agreed that the February 2002 meeting will be held in the Twin Cities on February 27. Each meeting will be preceded by a meeting of the Navigation Study Governors' Liaison Committee and be followed by a meeting of the EMP Coordinating Committee.

It was agreed that the UMRCC report topic for the August 2001 meeting would be channel maintenance and dredging. If possible, a field trip related to this topic will be scheduled as part of the three day meeting series. Tom Edwards suggested that the next meeting also include an explanation of how Pool 26 is operated. Gary Clark suggested that such a

presentation include a broader overview of the different dam operation methods throughout the river system.

With no further business, the meeting was adjourned at 2:50 pm.