

**Minutes of the  
82nd Quarterly Meeting  
of the  
Upper Mississippi River Basin Association**

**May 15, 2002  
Davenport, Iowa**

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

Gary Clark	Illinois Alternate (IL DNR)
John Hey	Iowa Representative (IA DOT)
Kevin Szcodronski	Iowa Representative (IA DNR)
Amy Denz	Minnesota Alternate (MN DNR) (by proxy)
Steve McIntosh	Missouri Alternate (MO DNR) (by proxy)
Terry Moe	Wisconsin Alternate (WI DNR)
Steve Cobb	U.S. Army Corps of Engineers (MVD)
Bill Franz	U.S. Environmental Protection Agency (Region 5)
Leslie Holland-Bartels	U.S. Geological Survey (UMESC)
Charlie Wooley	U.S. Fish and Wildlife Service (Region 3)
Albert Schulz	Federal Emergency Management Agency (Region 7)

Others in attendance:

Jim O'Brien	Illinois EPA
Scott Stuewe	Illinois DNR
Gary Christoff	Missouri DOC
Col. William Bayles	U.S. Army Corps of Engineers (MVR)
Rich Worthington	U.S. Army Corps of Engineers (HQ)
Greg Ruff	U.S. Army Corps of Engineers (MVD)
Don Powell	U.S. Army Corps of Engineers (MVP)
Gary Loss	U.S. Army Corps of Engineers (MVR)
Denny Lundberg	U.S. Army Corps of Engineers (MVR)
Jerry Skalak	U.S. Army Corps of Engineers (MVR)
Dave Leake	U.S. Army Corps of Engineers (MVS)
Keith Beseke	U.S. Fish and Wildlife Service
Rick Nelson	U.S. Fish and Wildlife Service
Jon Duyvejonck	U.S. Fish and Wildlife Service/UMRCC
Jon Kauffeld	U.S. Fish and Wildlife Service
Mark Beorkrem	Mississippi River Basin Alliance
Dudley Hanson	Upper Mississippi, Illinois and Missouri River Association
Robin Grawe	Mississippi River Citizen Commission

Tom Edwards  
Barb Naramore  
Holly Stoerker

Citizen  
Upper Mississippi River Basin Association  
Upper Mississippi River Basin Association

## **Meeting Minutes**

Terry Moe moved and Gary Clark seconded a motion to approve the minutes of the February 27, 2002 meeting as drafted. The motion was approved by consensus.

## **Executive Director's Report**

Holly Stoerker reported that the UMRBA had developed testimony on the President's proposed FY 03 budgets for seven federal agencies. The testimony was submitted to House and Senate Appropriations subcommittees, as well as members of the five state Congressional delegations. Stoerker thanked the UMRBA federal liaison members for the budget information they provided at the February 2002 UMRBA quarterly meeting and thanked the UMRBA state representatives for their timely review of staff drafts to meet very tight schedules for testimony submittal. With regard to the FY 03 budget for the Environmental Management Program (EMP), Stoerker noted that additional effort was devoted this year to promoting increased funding for EMP. In particular, UMRBA staff included mention of the EMP in testimony submitted by the Interstate Council on Water Policy at a March 7 hearing of the House Water Resources Subcommittee, testified at a March 21 hearing of the Mississippi River Congressional Caucus, made a number of personal visits to Congressional staff, and prepared a prototype Governor's letter in support of increased funding for the EMP.

Stoerker reported that UMRBA transmitted a letter to USGS Director Charles Groat in April, expressing the states' concerns with new common business practices under consideration for all USGS divisions. In particular, changes in overhead and cost recovery may have significant implications for the EMP long term resource monitoring program and other USGS partnership science programs.

Stoerker reported that UMRBA staff testified in support of the Upper Mississippi River Basin Protection Act (H.R. 3480) at a March 7 hearing of the House Water and Power Subcommittee. The bill subsequently passed the House on April 9, was approved by the Senate Environment and Public Works Committee on April 25, and is now awaiting Senate floor action.

The UMRBA Water Quality Task Force is scheduled to meet June 5-6 in Davenport, Iowa. Stoerker explained that UMRBA staff has been developing maps comparing the states' 305(b) assessments, 303(d) listings, and river reach designations for the UMR. The June Task Force meeting will be a particularly important one, because the states will use these maps to begin the process of evaluating the differences that have been identified.

Stoerker reported that UMRBA staff is continuing to facilitate discussions among state floodplain managers and FEMA regarding floodplain mapping along the Upper Mississippi, Lower Missouri, and Illinois Rivers. During a March 4 conference call, the group discussed FEMA's FY 03 budget proposal for \$350 million to fund floodplain mapping nationwide. Stoerker noted that it is not yet clear whether this substantial increase in funding will affect

FEMA's proposal that the expense of map updates on the UMR be cost-shared with the Corps of Engineers and the affected states. Stoerker also said that the state floodplain managers have requested that FEMA send its cost-share proposal directly to the Governors. Al Schulz noted that the letter to the Governors is under review at FEMA headquarters. He also said that FEMA intends to commit significant funding to UMR mapping in FY 02. In a related matter, Schulz said that the Corps of Engineers is considering scheduling a meeting of the Flow Frequency Task Force in July.

Stoerker reported that the American Water Resources Association (AWRA) is planning a National Water Policy Dialogue meeting in Washington, D.C. September 17-18, 2002. Attendance at the meeting, to be chaired by Jerry Galloway, will be by invitation only. The UMRBA will likely receive an invitation to send 2-3 people to the conference. The Interstate Council on Water Policy (ICWP) will be co-sponsoring the event and hosting a third day of meetings on September 19, devoted specifically to interstate water issues.

Barb Naramore reported that UMRBA's proposal to EPA to extend the spills planning and mapping agreement through federal FY 03 is pending. She noted that the proposal includes funding for new work on an early warning monitoring network. The spills mapping work, which has been on-going for the past ten years, will be largely complete by the end of federal FY 03. As a result, UMRBA will likely be losing project staff. Nikki Leatherbury is leaving and Greg Lundin will be taking over as project coordinator.

Naramore also said that the three UMR Corps District Commanders had provided letters to the UMR Hazardous Spills outlining spill response assistance that the Corps can provide, the Corps' coordination procedures for spills, and operational limitations related to spill response. Naramore commented that this information is very helpful and will be incorporated into the UMR Spills Plan. She thanked the Corps for its responsiveness, noting, in particular, the efforts of Colonel Bayles, Theresa Kauzlarich, and Susan Hampton.

### **Navigation Study**

Holly Stoerker reported that the Navigation Study States' Perspectives document, which was approved at the February UMRBA meeting, was subsequently officially transmitted to General Arnold and General Griffin. It was also posted on the UMRBA web site and shared with members of the UMR Congressional delegation as opportunities arose. She explained that UMRBA does not intend to revise the document, but will use it as the basis for preparing UMRBA's comments on the Navigation Study Interim Report.

UMRBA Chair Kevin Szcodronski explained the process that will be used to develop UMRBA comments on the Interim Report. Over the next week, UMRBA staff will be consulting with state representatives and using the States' Perspectives document as the foundation for developing draft comments on the report. That draft will be sent to UMRBA state representatives by May 24 for review. A conference call will be held May 30 to discuss the draft and revise it as necessary to meet the June 7 due date for comments.

In addition, Szcodronski noted that each state will begin internal coordination discussions on the report. Individual states may choose to amplify or elaborate on UMRBA comments, although it is not yet clear how many states will offer comments independent of UMRBA.

Gary Clark asked if the Corps is looking for letters from the Governors on the Interim Report, noting that it will be nearly impossible to secure such letters in the short time frame for comment. Steve Cobb said that Governors' letters were not necessary, but that the Corps hoped to have consistent positions expressed from each state. Szcodronski and Clark expressed reservations about the ability to achieve unified positions in their states by June 7, but said they will be seeking to resolve any internal inconsistencies. Steve McIntosh explained that in Missouri, not all state agencies answer to the Governor. In particular the Departments of Conservation and Transportation have their own governing commissions and views.

Szcodronski then opened the floor for discussion of specific issues to be addressed in UMRBA's comments on the Interim Report. Terry Moe noted that a number of recommendations in the Interim Report refer to development of a plan and evaluation of institutional arrangements. He cautioned that it will be difficult to make any decisions about institutional arrangements until it is clear what actions are being proposed. Holly Stoerker commented that the evaluation of institutional options and programmatic authorities should be undertaken with the same sort of rigor used to evaluate navigation and ecosystem alternatives. However, the Interim Report seems to suggest that some conclusions have already been reached on these issues, with no apparent justification or evaluation. Steve Cobb explained that the Corps had not intended to draw specific conclusions in the Interim Report and that a recommended plan will be the outcome of the feasibility study. Moe asked whether the plan and recommended management actions will address Corps authorities or actions of all agencies. Cobb explained that the system authority referenced in the report would be a new authority for the Corps. The study may describe the authorities and responsibilities of other agencies, but will not make recommendations regarding other agencies' actions or funding.

Rick Nelson commented that federal crosswalk budgeting is needed and that the Fish and Wildlife Service would like to have recommendations in the final plan regarding the Service's role and funding needs. According to Nelson, such recommendations could serve as a basis for the Fish and Wildlife Service to request budget increases. Nelson asked whether the states intend to assess how they might increase their role on the river. In particular, he noted that cost sharing will be a major issue. Kevin Szcodronski explained that the states are not in a position to seek large increases in state funding to support river projects. The river is primarily a federal system, managed for commercial navigation system and national wildlife refuges. He noted, however that the states do play a role in river management, although that role is not well documented. He also noted that the states have some land management responsibilities, but that is also limited, particularly on the lower river. Terry Moe explained that Wisconsin has some funds that can be used to cost-share projects, but that amount is small compared to the cost of large river projects required to address the damage done from the federal system. Steve Cobb noted that there are cost-sharing provisions for in-kind services. Rick Nelson suggested that the states explain and quantify their river-related investments. Rather than focusing on financial contributions to large projects, he suggested that the states identify what contributions they can make to parts of the pool plans being developed. Cobb reiterated that Corps policy and federal law require cost-sharing for environmental restoration. Szcodronski noted that the navigation study could recommend changes to existing law and policy.

Szcodronski noted that the Interim Report does not include recommendations for near term actions, such as small scale and nonstructural navigation improvements and increased funding for the EMP and O&M. Steve McIntosh urged that the feasibility study not delay what are

common sense immediate actions. Robin Grawe said the public has been waiting a long time for this study and is interested in having recommendations for “low-hanging fruit.” Steve Cobb indicated that, although the draft Interim Report could make such recommendations, the Assistant Secretary of the Army must ultimately approve the recommendations.

### **UMR Comprehensive Plan**

Jerry Skalak described the history and current status of the UMR Comprehensive Plan authorized in the 1999 Water Resources Development Act. The plan will build upon past efforts, seek a balanced approach, but be designed largely to address flood damage reduction. The estimated cost is \$3-5 million and will take three years, concluding by December 2004. It is being scoped as a traditional reconnaissance study, at 100 percent federal cost, with cost-shared feasibility studies to follow.

Skalak described the plan formulation issues, including data availability, the implications of Executive Order 11988 regarding floodplain management, regional economic development considerations, disparate conservation philosophies, and the definition of the “desired future condition.” Alternatives to be evaluated include no action, a flood routing plan, and 3-5 additional alternatives. Those alternatives may include levee setbacks or increased levee heights, but will not be site-specific. Skalak also described the H&H assumptions, noting that the existing UNET model will be used and that specific design events, such as the “standard project flood,” will not be developed or modeled. He explained that data will be a limiting factor, particularly for the environmental component. A programmatic EIS will be developed, although it’s not yet clear how that requirement will be met in the context of a reconnaissance level study.

Skalak indicated that the Comprehensive Plan will dovetail with the navigation study. The Project Management Plan (PMP) is expected to be approved by July 2002. Questions regarding collaboration are not yet resolved, but it is likely that a study group will be created specifically for the Comprehensive Plan, given that existing coordination mechanisms do not fit the needs of this particular planning process.

Jon Kauffeld expressed a desire to have the Fish and Wildlife Service coordinate with the Corps on identifying the best possible areas for levee set backs, particularly as part of the Mark Twain Refuge Comprehensive Conservation Plan (CCP) process.

Gary Clark asked if the flood routing alternative will also address flood fighting. He noted that flood fighting was a major issue during the 1993 flood and that UMRBA and the states are interested in seeing that it’s addressed prior to the next large flood. Dave Leake explained that the flood routing alternative will identify overflow modifications with the system as it currently exists. He also acknowledged that the Comprehensive Plan will need to address flood fighting. Al Schulz said there needs to be a clear policy regarding protection of urban versus agricultural areas in flood fighting situations.

Jon Kauffeld asked if the study will examine the question of which levees are legally authorized and which are not. Skalak indicated that was a question better suited for follow-on feasibility studies.

In response to a question from Skalak regarding how UMRBA would like to be involved in the study, Holly Stoerker noted that there may be two coordination models to consider. During the Floodplain Management Assessment, UMRBA formed a State Floodplain Managers Task Force to coordinate state input into the study. The other approach is that being used for the Flow Frequency Study, where the Corps forms a Task Force and invites the states to appoint representatives.

Gary Clark expressed a desire for the states to have an opportunity to review the PMP. Skalak explained that the PMP includes detailed descriptions of study tasks and is not typically a document that the Corps puts out for review. Holly Stoerker explained that the states' comments would not likely be directed to detailed tasks, but rather to scoping and collaboration issues. Steve Cobb said it may be possible to provide the states with a condensed version of the PMP for review.

### **Source Water Protection**

Jim O'Brien, Illinois EPA's Emergency Response Manager, thanked the UMRBA for providing staff support to the UMR Spills Group. He described the Spills Group as a forum for front line spill response, including interagency coordination across state lines and federal regional boundaries. Most of the group's effort over the past few years has been devoted to development of a spill notification and response protocol. But the group has also sponsored big river spill training and spill response technique demonstrations. Recently, the group has been looking at the need for an early warning monitoring system. O'Brien explained that, after consultation with the Ohio River Valley Sanitation Commission (ORSANCO) and the American Water Works Association (AWWA), the Spills Group is working on a two-part strategy, including a communication network for water providers and an early warning to raw water users on the UMR. UMR drinking water operators were surveyed about their vulnerabilities, current monitoring capabilities, and concerns. In contrast to the Ohio River, where volatile organic compounds are the primary concern, on the UMR the primary contaminants of interest are petroleum and nitrogen fertilizers.

Bill Franz described the requirements in the Safe Drinking Water Act for source water assessments and source water protection planning. The process includes identification of contaminants of concern and potential contaminant sources and determinations of susceptibility. On the UMR above the Twin Cities, the Minnesota Pollution Control Agency, Minnesota Department of Health, and Metropolitan Council are conducting a composite source water assessment for Minneapolis, St. Cloud, and St. Paul. According to Franz, there is potential for also conducting an integrated source water protection assessment for the rest of the UMR.

Barb Naramore explained that UMRBA staff has been informally coordinating some source water protection efforts, particularly the Spills Group discussions of an early warning monitoring system. Thus, EPA Region 5 invited UMRBA to submit a proposal to specifically fund the scoping work required for an early warning monitoring network, as part of the UMRBA's cooperative agreement for the FY 03 spills mapping project. As part of this proposal, UMRBA staff would coordinate an interagency scoping effort to address issues associated with establishment of an early warning monitoring network, including parameters, locations, equipment, operators, and communications. Deciding what each agency or

organization can contribute, both in the initial establishment of the network as well as to the on-going operation, will be a key question during scoping discussions. Naramore explained that UMRBA staff is currently seeking volunteers to be involved in the scoping project. Participants thus far include Steve Farayan of EPA Region 5, Jim O'Brien of Illinois EPA, drinking water staff from Missouri and Iowa, and representatives of utilities.

Naramore explained that UMRBA's proposal to EPA includes \$75,000 to equip a pilot station, if a viable network strategy is identified. She noted that purchasing such equipment is not typical for UMRBA and it thus raises a variety of issues, including ensuring appropriate ownership and responsibility for the equipment. In addition, Naramore explained that a 5 percent nonfederal cost-share would be required for the equipment. However, if UMRBA were to take on that responsibility, the cost would be more than offset by the ability to charge permanent staff time and indirect costs to the scoping effort. Alternatively, it may be possible for the operator of the pilot equipment to share in its purchase cost.

Jim O'Brien noted that Iowa American has expressed a tentative interest in piloting the equipment. However, part of the scoping effort involves identifying the operation and maintenance needs, which may have an effect on location of the pilot station, particularly if the equipment cannot be remotely operated.

In response to a question regarding the potential use of LTRMP monitoring stations, Naramore explained that those stations will be among the options considered for an early warning monitoring network. However, it is unlikely that UMESC could fulfill the communication and coordination functions, given the real time data serving needs. Jim O'Brien commented that others may find data from an early warning monitoring network more useful than the reverse situation, where existing data or stations could be used to satisfy early warning needs.

In response to a question about whether risk assessments had been undertaken to justify such a monitoring network, O'Brien explained that spills are rare events, but there are a large number of potential spill sources. Naramore also noted that UMR utilities unanimously support an early warning monitoring network. On the Ohio River, a monitoring network was established only after carbon tetrachloride had already contaminated the system.

Kevin Szkodronski said that, as UMRBA Chair, he had given approval for staff to include the scoping effort and equipment purchase as part of the proposal to EPA. UMRBA action to approve the funding request will come as part of the action on the proposed UMRBA FY 2003 budget.

### **Mississippi River Citizen Commission**

Robin Grawe explained that some of the ex-Commissioners of the Minnesota-Wisconsin Boundary Area Commission (BAC) decided to form a citizen's commission to continue citizen involvement in river issues, after the BAC was terminated last August. The Mississippi River Citizens Commission (MRCC) is intended to be an open and impartial forum. To maintain that objectivity, Grawe explained that the MRCC will be taking fewer positions than did the BAC and will not be functioning as an arbiter on controversial issues. Rather, the MRCC will help provide information to the public and offer opportunities for members of the public to express their views. The MRCC sponsored "State of the River" meetings in Winona and Red Wing

and is planning to work with Minnesota Public Radio to increase public awareness of recreational boating issues. According to Grawe, the MRCC is still in an organizational phase, seeking representatives from Iowa and evaluating various organizational structures.

Grawe also shared some of her views on public involvement in general, based on her many years of experience working with the public on Mississippi River issues. She said that the public often believes that government agencies aren't listening to their concerns. While this is probably not true, funding limitations and time lags lead to this perception. She said that the public does not understand why things take so long and cost so much. Grawe also observed that, in the future, increased tourism, recreation, and retirement in river towns will change the types of people interested in the river. She encouraged river management agencies to acknowledge and highlight their successes.

Kevin Szcodronski commented that the advantage of an organization like MRCC is that it provides an open forum for a wide variety of interests.

### **UMRBA FY 2003 Budget**

Holly Stoerker reviewed the proposed UMRBA budget for FY 2003, noting that it reflects projected decreases in revenue from dues and interest, but a revenue increase resulting from additional work that staff may be doing in support of the EMP Report to Congress. She said that Missouri has suggested changing its projected FY 2003 dues payment from \$48,000 to \$39,360, which is the same amount the state paid in FY 2002.

On the expenditure side, Stoerker said reproduction expenses will decrease if a new photocopier is purchased. State travel expenses for Missouri will be eliminated in FY 2003, reflecting Missouri's payment of less than full dues in FY 2002. Expenditure increases are anticipated for purchase of a new photocopier and for the biennial audit. The proposed budget also reflects an equipment purchase of \$75,000 for a pilot early warning monitoring station, if EPA approves the project.

Stoerker noted that the proposed FY 2003 budget reflects a deficit. While UMRBA has had break-even or surplus budgets the past few years, prior to FY 1997 deficit budgets were typical. Gary Clark said he was not particularly concerned about the deficit, given that it is not very large and that the budget as a whole is based on a number of estimates. Kevin Szcodronski noted that UMRBA also has a budget reserve. Holly Stoerker said that UMRBA's non-capital assets total \$517,000.

Terry Moe moved and Gary Clark seconded a motion to approve the FY 2003 budget as proposed by staff, with the change in Missouri dues income described by Stoerker. The motion passed unanimously.

### **Future Meeting Schedule**

The future meeting schedule for the combined GLC, UMRBA, and EMP-CC meetings includes August 6-8 in St. Louis and November 19-21 in the Twin Cities. It was agreed that the winter meetings will be held February 25-27, 2003 in the Quad Cities.

With no further business, the meeting was adjourned at 2:30.