

**Minutes of the  
94th Quarterly Meeting  
of the  
Upper Mississippi River Basin Association**

**May 25, 2005  
St. Paul, Minnesota**

The meeting was called to order at 9:05 a.m. by UMRBA Past-Chair Gary Clark.  
The following were present:

UMRBA Representatives and Alternates:

Gary Clark	Illinois (DNR)
Rick Mollahan	Illinois (DNR)
Mike McGhee	Iowa (DNR)
Harold Hommes	Iowa (Dept of Agriculture)
Dick Vegors	Iowa (Dept. of Economic Development)
Rebecca Wooden	Minnesota (DNR)
Dru Buntin	Missouri (DNR)
Gretchen Benjamin	Wisconsin (DNR)
Chuck Burney	Wisconsin (DNR)

Federal Liaisons:

Linda Leake	U.S. Geological Survey (UMESC)
Charles Barton	U.S. Army Corps of Engineers (MVD)
Bill Franz	U.S. Environmental Protection Agency (Region 5)
Larry Shepard	U.S. Environmental Protection Agency (Region 7)
Charles Wooley	U.S. Fish and Wildlife Service (Region 3)

Others in attendance:

John Pitlo	Iowa Department of Natural Resources
Tim Schlagenhaft	Minnesota Department of Natural Resources
Janet Sternburg	Missouri Department of Conservation
Stacia Bax	Missouri Department of Natural Resources
Steve Johnson	National Park Service
Rich Worthington	U.S. Army Corps of Engineers (HQ)
Greg Ruff	U.S. Army Corps of Engineers (MVD)
Rebecca Soileau	U.S. Army Corps of Engineers (MVP)
Jeff DeZellar	U.S. Army Corps of Engineers (MVP)
Chuck Spitzack	U.S. Army Corps of Engineers (MVP)
Ken Barr	U.S. Army Corps of Engineers (MVR)
Gary Loss	U.S. Army Corps of Engineers (MVR)

Hank DeHaan	U.S. Army Corps of Engineers (MVR)
Roger Perk	U.S. Army Corps of Engineers (MVR)
Mike Thompson	U.S. Army Corps of Engineers (MVS)
Tim Yager	U.S. Fish and Wildlife Service (Region 3)
Gary Wege	U.S. Fish and Wildlife Service
Sharonne Baylor	U.S. Fish and Wildlife Service (UMR Refuge)
Mike Oetker	U.S. Fish and Wildlife Service
Jon Duyvejonck	U.S. Fish and Wildlife Service (RIFO)
Jan Korte	U.S. Environmental Protection Agency (Region 5)
Dan McGuiness	Audubon
Gretchen Bonfert	McKnight Foundation
Robin Grawe	Mississippi River Citizen Commission
Gabe Horner	The Nature Conservancy (Minnesota)
Mark Beorkrem	Illinois Stewardship Alliance
Dan Larson	River Resource Alliance
Angela Anderson	Mississippi River Basin Alliance
Barb Naramore	Upper Mississippi River Basin Association
Holly Stoerker	Upper Mississippi River Basin Association
Margie Daniels	Upper Mississippi River Basin Association

### **Meeting Minutes**

Chuck Burney moved and Mike McGhee seconded a motion to approve the minutes of the February 23, 2005 meeting, as drafted. The motion was approved by consensus.

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

Holly Stoerker reported that, in March, she met with a number of House staff in Washington to discuss FY 06 appropriations for EMP and authorization of NESP in the 2005 Water Resources Development Act. During that trip, she also met with U.S. Fish and Wildlife Service Deputy Director Matt Hogan and Chief of Refuges Bill Hartwig to discuss the Service's responsibility for O&M of EMP habitat projects on refuges. Stoerker explained that one of the recommendations in the recent EMP Report to Congress was that funding should be coordinated in annual federal budgets to enable the Service to meet its O&M responsibilities. At the last UMRBA meeting, it was agreed that UMRBA would take the lead in promoting this recommendation. Stoerker commented that this issue will require an ongoing commitment to educating the Service's leadership and working to secure the necessary funding.

Stoerker also reported that UMRBA coordinated the signing and release of a joint Governors' letter urging Congress to authorize NESP. The language of the letter was very similar to the joint Governors' statement from last summer supporting the Corps' recommended plan. Stoerker thanked Governor Blagojevich's Washington office for their assistance in getting the letter signed by all the Governors. Gary Clark thanked UMRBA staff for their efforts as well and commented that such a joint expression of support from all five Governors is significant.

Stoerker distributed a compilation of the testimony that UMRBA submitted earlier this spring on FY 06 appropriations for seven federal agencies, including the Corps of Engineers, Fish and Wildlife Service, EPA, USGS, FEMA, Department of Agriculture, and Coast Guard. She noted that Congress is just beginning to develop its appropriations bills. Last week the House Energy and Water Development subcommittee approved a bill that includes full funding for the EMP, and \$200,000 for the Upper Mississippi Comprehensive Plan, but no funding for NESP.

Barb Naramore reported that, as part of the process of updating the UMR Hazardous Spill Plan, a new interagency MOA will be signed. Each agency's UMR Spills Group representative is taking the lead for securing the signature of their agency's official. That process should be completed by late summer or early fall.

Naramore also reported that the Spills Group had decided to proceed with publication and distribution of an emergency action field guide, containing basic information on spills awareness and reporting. EPA and the Coast Guard have said they may be able to provide support for printing the guide.

Naramore reported that there have been a variety of staff changes related to the OPA planning and mapping effort. Zac Stanley has left the UMRBA staff to return to California. His responsibilities as project coordinator are being split between Lisa Reisner and Bryan Lloyd. In addition, Greg Lundin has returned to the staff on a temporary basis until September.

Finally, Naramore said the planning efforts for the 2007 Spill of National Significance (SONS) exercise are continuing. That exercise will take place in the spring or summer of 2007 and will likely include an earthquake on the New Madrid fault as an important event driver. Impacts on the UMR will include pipeline and tank failures and damage to bridges, locks and dams, and other infrastructure. Response personnel in Illinois, Iowa, and Missouri have expressed an interest in participating in the SONS planning and the exercise.

### **Upper Mississippi River National Wildlife and Fish Refuge**

Tim Yager distributed copies of the executive summary of the draft Comprehensive Conservation Plan (CCP) for the Upper Mississippi River National Wildlife and Fish Refuge. He explained that the 1997 Refuge Improvement Act requires all refuges to develop a CCP by 2012, but that it was time to update the Upper Mississippi plan anyway.

The plan includes four alternatives: a "no action" plan, one plan with a wildlife focus, one plan with a public use focus, and an integrated wildlife and public use plan. The integrated plan is currently the preferred alternative, according to Yager.

Yager explained that the draft CCP was released in late April, with the 120-day public comment period beginning May 1. He noted that, although 120 days is four times longer than the typical 30-day comment period, the Fish and Wildlife Service has already received requests to extend the time. Yager also said there are eleven public meetings scheduled, six of which have already taken place. There will also be at least 6 workshops. The public meetings have been well attended, with 120 people at the Prairie du Chien meeting and 250

people at the Lansing meeting. Gretchen Benjamin said that 500 people are expected to attend the meeting in La Crosse.

Yager said there has been tremendous interest in the plan, although most of the comments to-date have been critical. In particular, the public is concerned about the proposed closure of a number of waterfowl hunting areas. Other issues of public concern include a proposed limit of 25 shot shells per day, removal of some permanent blinds in the Savanna District, potential closure of some recreational beaches if additional study shows they are used by wildlife, potential designation of some non-motorized areas, and establishment of a .08 intoxication limit. Yager said that Don Hultman has indicated there will undoubtedly be changes in the preferred alternative.

Yager said the goal for completion of the planning process includes completing the public involvement in August, revising the plan by late 2005, and publishing a final plan by early 2006. Gretchen Benjamin expressed hope that the Fish and Wildlife would be flexible with regard to the schedule. She noted that after the initial feedback and comments, the plan will need to be revised and a second round of public meetings will then be needed.

Benjamin also commented that the economic impact values used in the CCP, including job numbers and recreational visits, are significantly lower than the estimates in the 1990 Economics of Recreation Study. Gary Wege noted that recreational use will grow as a result of population growth in the Twin Cities metropolitan area.

### **Navigation and Ecosystem Sustainability Program (NESP)**

*Washington Update* — Holly Stoerker reported that the House held a hearing on March 16, in preparation for a Water Resources Development Act (WRDA). No members from the UMR requested authorization of NESP. However, it is still anticipated that the House will include NESP in its WRDA bill. The House Water Resources subcommittee is expected to markup WRDA in late June.

Stoerker also reported that the Senate Environment and Public Works Committee had approved its WRDA bill on April 26. The Senate's NESP authorization language is quite similar to that in the Senate bill from last year. Stoerker described the differences as being:

- costs are updated
- new provision requiring concurrent mitigation is included
- new provision limiting the cost of individual ecosystem restoration projects is included
- timing of implementation reports is extended from 4 to 5 years
- the advisory panel is exempted from FACA
- an ecosystem restoration project ranking system is required to be developed in consultation with the advisory panel, rather than the National Academy of Sciences.

Rich Worthington reported that Congress is still debating the Energy and Water Development appropriations bill. He commented that one of the Corps' concerns is language that would limit reprogramming and restrict continuing contracts, both of which

would be major impediments to the Corps' programming flexibility. Worthington also reported that, on May 12, the Senate confirmed John Paul Woodley as Assistant Secretary of the Army for Civil Works. The Upper Mississippi Navigation Study Feasibility Report remains under review in the Assistant Secretary's office.

*Implementation Update* — Chuck Spitzack recapped the recommendations in the September 2004 feasibility study. He noted that the costs were updated in the December 2004 Chief's Report, using October 2004 price levels. The updated costs for the first 15-year increment are \$1.58 billion for ecosystem restoration and \$2.03 billion for navigation improvements.

Spitzack reported that the FY 05 budget for preconstruction engineering and design (PED) is \$11.3 million, which includes funding for 32 projects. Of those 32 projects, 5 are programmatic, 8 are related to navigation efficiency, and 19 are ecosystem restoration projects. Spitzack briefly outlined the projects in each category.

Spitzack also described the implementation timeline and noted that approximately 13 years are required to design and construct a new lock. Consequently, the navigation improvement costs will peak in 2015. The challenge will be to maintain an appropriate funding stream over time.

In addition, Spitzack briefly described plans for new mooring approaches and double lockages. He also said public meetings were recently held at Saverton to discuss the new lock at Lock and Dam 22 and the plans for fish passage at that lock. He also noted that the report on appointment scheduling is due June 30.

According to Spitzack, the Corps is currently on target to successfully execute the FY 05 program. The Science Panel is up and running and each NESP project has a team leader and a project delivery team composed of stakeholders and partners. The River Management Teams (i.e., the RRF, RRCT, and RRAT) are the forum for planning local projects and NECC/ECC is the forum for planning systemic projects. The next NECC/ECC meeting will be in August. In addition, there will be an interagency meeting to discuss communications in July.

*Navigation Adaptive Management* — Spitzack described navigation adaptive management, which is the process to be used for dealing with the complexities and uncertainties of the economic evaluation of navigation improvements. The navigation adaptive management process includes a notification report to Congress in 3 years, an evaluation report in 5 years based on new models, and an updated feasibility study in 15 years. Spitzack explained that Navigation Economic Technologies (NETS) is an important part of this process. NETS is a research program devoted to developing state-of-the-art tools and techniques for economic modeling and analysis. Models are being developed for forecasting commodity movements; routing regional traffic; and evaluating micro-systems, such as tradable lock permits, congestion pricing, and appointment systems. Spitzack presented a 4-year timeline for the navigation adaptive management work, with March 2009 as the earliest possible date for a Chief's Report on the Reevaluation Study.

Science Panel---Ken Barr described the membership and function of the Science Panel, which is being co-chaired by the Corps (John Barko) and the USGS (Barry Johnson). Other members include Ken Lubinski, Bob Clevenstine, Larry Weber, Steve Bartell, John Nestler, Mike Davis, Charlie Berger, and David Galat. The Science Panel will be assisted in its work by a Regional Support Team, composed of senior ecologists and hydrologists from each Corps district. Barr described the Science Panel's primary areas of responsibility as being project evaluation and sequencing criteria, monitoring protocols, a report card framework for tracking progress, refining goals and objectives, numerical models for forecasting, and definition of ecological outcomes. Barr noted that they hope to be able to monetize many of the outcomes. By the end of FY 05, the Science Panel is expected to have an initial draft adaptive management plan for ecosystem restoration.

Floodplain Restoration Projects — Ken Barr said that, although significant progress has been made with The Nature Conservancy (TNC) on the Emiquon project, a few hurdles will preclude that project from being implemented this fiscal year. In particular, until NESP is authorized, there is no authority for NGOs to serve as cost share partners. In addition, there are some outstanding real estate issues associated with Emiquon. Therefore, floodplain restoration work is currently focusing on the continuing development of a functional analysis tool for evaluating nutrient processing, sediment transport, aquifer recharge, and connectivity. In addition, effort is being devoted to real estate crediting issues, such as the residual value of NRCS property. The hope, however, is that States will propose floodplain restoration projects that can be initiated with FY 05 funds. Barr presented a sample "letter of intent" that States could use for this purpose.

Discussion and Questions — Holly Stoerker asked how the absence of WRDA language related to adaptive management of the navigation efficiency measures would affect the implementation process described by Spitzack. Rich Worthington explained that the legislation requires that the improvements be implemented in conformance with the plan. Since the adaptive management approach is part of the plan, the understanding is that the improvements would, in fact, be implemented in that way.

Mike McGhee observed that navigation funding needs are relatively easy to estimate and project. He asked how the ecosystem funding needs will be identified over time. Spitzack noted that the pending legislative language calls for balanced implementation and comparable progress. Ken Barr noted that the Corps is consciously focusing on ramp-up opportunities for ecosystem restoration projects.

Gretchen Benjamin asked if the Corps will be able to quickly expand NESP staffing, if and when the new program is authorized. Chuck Spitzack acknowledged it will likely be difficult. Gary Loss noted that funding, as well as authorization, will also be needed.

Holly Stoerker commented that the agency partners and stakeholders should be more involved and knowledgeable about NETS. Greg Ruff explained that NETS is not being directed by the Study Team. Rather, NETS is an independent peer-reviewed effort by the Institute for Water Resources. The Corps districts then apply the tools that NETS develops. Chuck Spitzack agreed that involvement in the economic analysis should be broadened, noting that the Corps is currently looking at ways to achieve meaningful stakeholder involvement and engage expertise outside of the NETS group. Greg Ruff said that the

Corps would like to re-engage and energize the ECC. Stoerker noted that the State DOTs have not been involved in the NECC/ECC meetings for some time.

Gretchen Benjamin asked if the Science Panel would remain focused only on the ecosystem restoration functions of NESP. Chuck Spitzack said that the current panel would, in fact, focus only on ecosystem restoration. However, a separate navigation science panel could be formed.

Tim Schlagenhaft said that Minnesota has a number of areas where it would like to do floodplain restoration, including the Root and Zumbro Rivers. He indicated, however, that Minnesota has a variety of questions about the sample letter of intent and has forwarded those questions to the Corps. Chuck Spitzack summarized the questions and responses as follows:

- 1) Is the non-federal sponsor required to provide 25% cost share up-front for Preconstruction Engineering and Design (PED) work, or would this be included in the total project cost after construction? (Answer: Once the design agreement is signed, the nonfederal share should be paid up-front on a fiscal year basis.)
- 2) What is meant by “in general” in the 3<sup>rd</sup> paragraph sentence "We are capable of fulfilling our financial obligation; in general, providing a minimum ....." (Answer: This refers to the elements of the PCA and is not a detailed contractual agreement.)
- 3) Are the non-federal sponsors responsibilities for O&M post construction described in the Project Cooperation Agreement (PCA)? (Answer: Yes.)
- 4) Can the non-federal sponsor choose not to sign the PCA even if PED studies are favorable and Congress provides construction funds? (Answer: Yes.)
- 5) The letter states work in-kind by non-federal sponsors will not be considered as cost share until the PCA is executed. Are Corps planning costs added to the total PED and PCA development costs prior to executing the PCA? (Answer: The non-Federal sponsor’s pre-PCA design efforts can be counted as in-kind services, but construction work cannot. The cost share during PED is 25 percent. If the project moves to construction the 10 percent shortfall will be captured to bring the total to 35 percent.)

According to Greg Ruff, the cost share percentage during PED is lower than during construction so that cash flow can be evened out, recognizing that land acquisition costs are often part of construction. Rich Worthington noted that it is unlikely that the non-Federal sponsor will need to come up with an additional 10 percent cash because of land credits.

Bill Franz urged that State water quality agencies be consulted on floodplain restoration opportunities because many of these projects may have TMDL benefits.

Tim Schlagenhaft asked how far up tributaries the NESP floodplain restoration authority can be applied. Ken Barr said it would likely depend on how far up the tributary the river's hydraulic influence (i.e., backwater effects) can be documented.

Ken Barr said he anticipates spending \$35 million over the next 15 years on floodplain restoration projects. NECC will jury the fact sheets, with an eye toward achieving a mix of measures and project purposes over the next 2-5 years.

NESP-EMP Transition Strategy — Chuck Spitzack outlined assumptions related to the EMP and NESP relationship as follows:

- Assume EMP continues as a viable program
- Call for integrated management of UMRS programs
- Long Term Resource Monitoring (LTRM) assumed to continue under EMP, with or without NESP
- Assumptions will be re-examined in 3 years
- Interpretation of authorization will be required to verify that LTRM could continue under NESP
- Funding for LTRM is not included in NESP recommendation

Holly Stoerker commented that, although it was necessary during the NESP planning process to make assumptions about the future of the EMP, it is now necessary to think more strategically about how the EMP and NESP should interrelate. She expressed concern that, if the partners don't decide what is needed and then pursue that approach, we risk losing part or all of one program or the other. Gary Clark agreed, saying that a transition strategy is needed so as not to lose the LTRMP, in particular.

Linda Leake expressed USGS' frustration and concern about the future of the LTRMP. She said the Corps has indicated that LTRMP is important to NESP, and yet there is no funding for LTRMP in NESP. Chuck Spitzack said that, although there is no LTRMP funding in NESP, there may be authority to undertake the LTRMP under NESP.

Greg Ruff explained the importance of timing when considering the relationship between EMP and NESP. He emphasized that a year ago, during NESP plan formulation, it was agreed that existing river management tools were inadequate. However, for the purposes of developing NESP recommendations, it was assumed that all existing tools (including EMP) would remain available in the future. Ruff advised that we let that planning assumption stand. He said, after NESP is authorized and the partners have a few years of implementation experience, then recommendations for changing or blending NESP and EMP can be made in the first Report to Congress.

Holly Stoerker commented that, although the approach recommended by Ruff has merit, strategic planning should not wait for 3 years. While clarifications regarding the relationship between EMP and NESP should not necessarily be addressed in 2005 WRDA, the planning should begin soon.



Ken Barr said NESP's adaptive management approach was designed to complement LTRMP and the Corps has no intention of eliminating LTRMP. The monitoring to be accomplished under NESP will be scoped out by the Science Panel and will have a different focus than LTRMP. In particular, NESP monitoring is intended to be more targeted.

Rich Worthington said he assumes that, over the long term, having two separate UMR programs with similar objectives is not sustainable. Stoerker agreed, but noted that there may not be consensus on that point. She proposed that a planning process be initiated later this year to begin exploring issues associated with the relationship between EMP and NESP and their future. Gretchen Benjamin suggested that UMRBA help lead that planning process and identify the relevant transition issues for review and discussion at the August UMRBA meeting. Benjamin also commented that, if two programs are not sustainable, she hopes they are additive.

Gary Clark agreed that UMRBA should take the lead on scoping out the planning process for EMP and NESP's future. Holly Stoerker said that UMRBA would consult with others to put together a draft overview for consideration at the next meeting.

Robin Grawe said there is value to EMP's permanent authority and to having LTRMP field stations operated by the States with USGS oversight.

Gary Loss indicated that the Corps new performance-based budgeting is increasing the complexity of budget development. It will significantly complicate the EMP FY 07 budget request.

### **Institutional Arrangements**

Chuck Spitzack provided an update on the status of the institutional arrangements (IA) proposal. Comments are due by June 1 and there is a stakeholders' meeting planned for July. Implementation will likely begin in the fall. The Governors' Liaison Committee (GLC) has already been de-activated and those functions are currently being coordinated with UMRBA. In addition, the Science Panel is up and running. The EMP-CC and A-Team have not been affected yet.

Spitzack said that the Corps has not yet received many formal comments on the IA proposal. However, the feedback to-date has focused on the following:

- Impact on EMP
- Role of NGOs
- Breadth of responsibility
- Change with and without NESP
- Level of participants
- Resource demands
- What does it mean internally for Corps and FWS
- Science Panel only addresses ecosystem
- Impact on management of the UMRS

Rick Mollahan said Illinois will be submitting a formal letter of comment. Illinois DNR will be requesting that there be a River Managers' Team (RMT) for the Illinois River. It will also suggest that the River Managers' Council (RMC) and Science Panel be expanded to include representation from the Illinois River Management Council.

Holly Stoerker distributed an outline of UMRBA's draft comments on the proposal for modified institutional arrangements. The comments include 3 general points. The first relates to the need for change and reminds readers that UMRBA has had reservations about the need for broad changes since development of Navigation Feasibility Study. The second point relates to the scope and purpose of the institutional arrangements, noting inconsistencies in how the proposal is described and questioning whether the Fish and Wildlife intends to use the RMC as described in the proposal. Finally, concern is expressed about efficiency and the need to build upon the existing quarterly meeting format.

Stoerker noted that the balance of the draft comments relate specifically to UMRBA's role in the proposed new institutional arrangements, including its co-leadership position with the Regional Federal Principals Group, UMRBA's relationship to the RMC, and the specific NESP issues of interest to UMRBA. In addition, Stoerker noted that the description of UMRBA contained in the draft IA proposal is inaccurate and needs to be updated. Charlie Wooley said the Fish and Wildlife Service believes the RMC needs further definition and clarification, particularly with regard to the way in which it blends regulatory agency roles with advisory roles of NGOs.

Rebecca Wooden questioned the scope of the RMC, commenting that it appears to be broadly defined to address all river-related activities. Chuck Spitzack clarified that the scope is confined to programs of the Corps and Fish and Wildlife related to navigation and ecosystem restoration. However, other issues will not be ignored. Wooden cautioned against "mission creep."

In response to a question about whether the institutional arrangements proposal would be pursued in the absence of a NESP authorization, Spitzack explained that some institutional changes are merited regardless of NESP, given the magnitude of investment in the UMR. However those changes would likely be more modest if NESP is not authorized. Gary Clark commented that the proposal is just "too big" if there is no NESP. Rebecca Wooden agreed, saying it looks like "overkill" if EMP and O&M are the only programs to be addressed.

In response to a question about the future of the Science Panel, Spitzack said that the work of the Science Panel will need to wrap up in September 2005, if NESP is not funded in FY 06.

Chuck Burney moved and Dru Buntin seconded a motion approving the outline of UMRBA comments and directing UMRBA staff to prepare a letter of comment based on that outline. The motion passed without objection.

## **Federal Agency Liaisons**

Holly Stoerker reported that, following discussion at the February UMRBA meeting, Mike Sullivan suggested contacting the Natural Resources Conservation Service (NRCS) Regional Assistant Chief regarding appointment of an NRCS liaison to UMRBA. Gary Clark said that UMRBA should seek to execute a new partnering agreement with NRCS, rather than simply seeking an appointment.

Stoerker also reported that EPA Region 7's involvement in UMRBA, and UMR activities more broadly, seems to be eroding. She recommended that a letter be written to the Region 7 Administrator seeking a renewed commitment. UMRCC is considering a similar letter.

Larry Shepard commented that Region 7 is, in fact, committed to the UMRBA Water Quality Task Force. However, the Region's participation in UMRBA per se is in question. Because State water quality management agencies are not typically represented at UMRBA, the relevance to EPA is not as clear. Shepard suggested that, if a letter is written, it be as explicit as possible in terms of the desired commitment (i.e., frequency of meetings), desired level of representation, and purpose of involvement.

Dru Buntin suggested that UMRBA write a letter to Region 7 and that individual state water directors follow-up as well. A copy of the letter should be sent to Region 5.

## **UMR Comprehensive Plan: Emergency Action Plan Comments**

Holly Stoerker distributed copies of draft UMRBA comments to the Corps of Engineers on the emergency action plan evaluation in the UMR Comprehensive Plan. She noted that the comments were an outgrowth of the discussion at the February quarterly meeting and had been reviewed by the UMRBA State floodplain managers group. The comments address the emergency action plan in particular, because UMRBA had made a special point of requesting that the Comprehensive Plan evaluate such an option.

Gary Clark commented that the emergency action plan analysis provides good information for the States to use in responding to floodfighting in the future. While the States can learn from the analysis, it would require further efforts and resources to take the evaluation any further. It was agreed that the draft UMRBA comments should be put in letter form and submitted to the Rock Island District Commander.

## **Water Quality Task Force: Fish Consumption Advisory Project**

Barb Naramore provided an overview of the UMRBA Water Quality Task Force's work on fish consumption advisories, including the recommendations resulting from the group's meeting earlier in the week. Naramore explained that UMRBA currently has two EPA grants to support the work of the Task Force. A Region 5 grant supports the general coordination work, including consultations on the States' 2006 impaired waters listings. A Region 7 grant supports the work on two issue tracks: fish consumption advisories and sedimentation impairment criteria. Both of these issue tracks are using the same planning process, which includes preparation of a background paper, a focused workshop, and follow-up consultations. The fish consumption advisories (FCA) project is looking at how

the States develop FCAs, how they are used in making impairment decisions, the implications of differing approaches among the States, and options for enhancing consistency among the States.

Naramore explained that the Task Force discussed the options over the past two days and developed the following recommendations:

- There should be consistent FCAs for the UMR.
- A minimum monitoring baseline should be established for all States to use, related to fish species, contaminants, sampling locations, and fish tissue preparation.
- All basin States should participate in the national EPA Fish Contaminants Forum in September 2005.
- If needed, a meeting should be convened after the national forum to discuss establishment of a common protocol for issuing FCAs on the UMR.
- The issue of consistency in how States use FCAs for assessments and listings should be revisited after progress has been made in harmonizing FCA guidance and issuance.

Holly Stoerker thanked Pat McCann of the Minnesota Department of Health for her efforts in developing “what if” scenarios by applying the Minnesota FCA protocols and the FDA action levels to the entire river.

Gretchen Benjamin asked what the next steps are and how the recommendations will be implemented. Holly Stoerker said she assumes that UMRBA will continue to push the recommendations forward. However, it is not clear how much time or effort will be required. Bill Franz commented that the grant program that is funding the FCA project is not included in the President’s FY 06 budget request.

### **Governors’ Farm Bill Initiative**

Mike McGhee reported that 3 of the 5 States have thus far endorsed the UMR Governors’ Farm Bill initiative, spearheaded by Governor Vilsack. The goal of the project is to seek a specific funding set-aside for the UMRB, in the conservation provisions of the next Farm Bill. Currently, staff from all the five States are working to identify both the commonalities and the differences among the States’ nonpoint pollution efforts.

In response to a question about whether similar approaches are being taken in other parts of the country, McGhee said the Klamath and Chesapeake Bay watersheds are pursuing smaller, but similar proposals. He noted that 23 percent of U.S. cropland is within the five UMR States.

### **McKnight Foundation Water Quality Study**

Gretchen Bonfert of the McKnight Foundation said the foundation has recently provided a grant to the National Academy of Sciences’ (NAS) Water Science and Technology Board to undertake a study of the Mississippi River and the Clean Water Act. The study will address many of the scientific as well as institutional challenges related to water quality management on the river. A panel of 12-15 members will be convened by NAS. The panel

will likely hold 5 meetings over a 2-year period. Required reading for the panel includes UMRBA's 2004 water quality report, the Sierra Club Mississippi River standards petition and EPA's response, EPA's Environmental Monitoring and Assessment Program (EMAP), McKnight's report on States' implementation of the Clean Water Act, and various GAO reports.

Bonfert distributed a fact sheet describing the project and encouraged UMRBA to circulate the information to its members and Water Quality Task Force. Bonfert also encouraged nominations for panel members to be sent to NAS.

In response to a question, Bonfert said that McKnight has not discussed this project with U.S. EPA and does not know what role that agency may have in the study.

Gary Clark suggested that UMRBA staff circulate the fact sheet to the Water Quality Task Force and seek their input on potential qualified candidates who would be willing and able to serve on the panel.

### **Administrative Issues**

*State Travel Reimbursement* — Gary Clark noted that the current per State travel reimbursement cap is \$3000. Chuck Burney moved and Dru Buntin seconded a motion to increase the per State travel reimbursement cap to \$4000 in FY 2006. The motion passed unanimously.

*Permanent Staff Positions* — Gary Clark announced that Barb Naramore will be leaving the UMRBA staff in the near future. Three options for her replacement were considered: hiring another Associate Director; hiring a Water Quality Program Director; or creating two new positions, including both a Water Quality Program Director and an Ecosystem/Navigation Program Director. Clark announced that the UMRBA representatives have decided to pursue the third option, after having reviewed an options paper prepared by UMRBA staff and considering the advantages of all approaches.

To effectuate the decision, Mike McGhee offered the following motion, which was seconded by Rebecca Wooden:

*Amend Section II.A. of UMRBA's Manual of Personnel Practices to reflect four permanent staff positions by:*

- 1) Eliminating the position of Associate Director, and*
- 2) Establishing two positions as follows:*

- *Water Quality Program Director, with an annual salary range of \$45,000 - \$60,000, and*
- *Ecosystem & Navigation Program Director, with an annual salary range of \$45,000 - \$60,000*

The motion passed unanimously.

Annual Leave Compensation — Gary Clark said that UMRBA would like to have Naramore continue working for as long as possible. However, if she were to take much of her accumulated annual leave, her time in the office for the next few months would be limited. Therefore, Dru Buntin moved and Chuck Burney seconded the following motion:

*With regard to Associate Director Barb Naramore's pending separation from UMRBA, waive the provision in Section V.A.1 of UMRBA's Manual of Personnel Practices that limits the lump sum cash payment for earned but unused annual leave to pay for 30 days, thereby permitting Naramore to be compensated for all earned but unused annual leave up to 390 hours.*

The motion passed unanimously.

FY 2006 Budget — Holly Stoerker explained that the draft FY 2006 budget prepared by UMRBA staff was developed based on the assumption that Naramore would be continuing on staff. Given recent developments and future uncertainties, Stoerker suggested that the draft budget be approved, but that it be amended later in the year.

Rebecca Wooden offered the following motion, which was seconded by Dru Buntin:

*Approve the draft FY 2006 UMRBA budget, as presented by staff, with the following change:*

- *Increase the State travel reimbursements to reflect a \$4000 per State cap, applying the previous year's dues payment allocation formula. That change would result in a total of \$16,584 for travel reimbursement allocated as follows:*

<i>Illinois</i>	<i>4000</i>
<i>Iowa</i>	<i>1667</i>
<i>Minnesota</i>	<i>4000</i>
<i>Missouri</i>	<i>4000</i>
<i>Wisconsin</i>	<i>2917</i>

*In addition, direct staff to prepare an amended FY 2006 budget for consideration at the November 2005 quarterly meeting, to reflect changes in payroll and other costs associated with staffing changes.*

The motion was approved unanimously.

## **Future Meetings**

Holly Stoerker described the future meeting dates as follows:

*August 2005 (Davenport, Iowa)*

<i>August 16</i>	<i>UMRBA Quarterly meeting</i>
<i>August 17</i>	<i>EMP Coordinating Committee</i>
<i>August 17-19</i>	<i>EMP Habitat Project Workshop</i>

*November 2005 (Twin Cities)*

November 15    NECC/ECC meeting  
November 16    UMRBA Quarterly meeting  
November 17    EMP-Coordinating Committee

February 2006 (St. Louis)

February 21-23   Meeting schedule to be determined

Rebecca Wooden commented that yesterday's joint meeting between UMRBA and the Water Quality Task Force was very helpful. She encouraged similar joint meetings in the future.

With no further business, the meeting was adjourned at 3:10 p.m.