

**Minutes of the 170th Quarterly Meeting
of the
Upper Mississippi River Basin Association**

**May 21, 2024
Davenport, Iowa**

Grant Wilson called the meeting to order at 9:30 a.m. Participants were as follows:

UMRBA Representatives and Alternates:

Rick Pohlman	Illinois Department of Natural Resources
Loren Wobig	Illinois Department of Natural Resources
Chad Craycraft	Illinois Department of Natural Resources
Tim Hall	Iowa Department of Natural Resources
Jake Hansen	Iowa Department of Agriculture and Land Stewardship
Nichole Hansen	Iowa Economic Development Authority
Sam Hiscocks	Iowa Department of Transportation
Grant Wilson	Minnesota Department of Natural Resources
Patrick Phenow	Minnesota Department of Transportation
Erin Fanning	Missouri Department of Natural Resources
Ken Henderson	Missouri Department of Agriculture (on behalf of Chris Klenklen)
Matt Vitello	Missouri Department of Conservation
Wade Strickland	Wisconsin Department of Natural Resources

Federal UMRBA Liaisons:

Jim Bodron	U.S. Army Corps of Engineers, MVD
JC Nelson	U.S. Geological Survey, Midcontinent Region
Sabrina Chandler	U.S. Fish and Wildlife Service
Richard Vaughn	U.S. Department of Agriculture, Natural Resources Conversation Service
Ken Hinterlong	Federal Emergency Management Agency

Others in Attendance:

Kirk Hansen	Iowa Department of Natural Resources
Zahrah Alghalibi	Iowa Department of Transportation
John Seitz	Illinois Department of Natural Resources
Matt O'Hara	Illinois Department of Natural Resources
Brian McCoy	Illinois Department of Transportation
BJ Murray	Illinois Department of Transportation
Vanessa Perry	Minnesota Department of Natural Resources
Charmayne Anderson	Minnesota Department of Natural Resources
Erin Fanning	Missouri Department of Natural Resources
Brenda Kelly	Wisconsin Department of Natural Resources
Adrian Stocks	Wisconsin Department of Natural Resources

Sammi Boyd	Wisconsin Department of Natural Resources
Robyn Colosimo	Assistance Secretary of the Army for Civil Works
Lauren Lueck	Assistance Secretary of the Army for Civil Works
Elliot Carman	Assistance Secretary of the Army for Civil Works
Michael Tarpey	U.S. Army Corps of Engineers, Headquarters
BG Kimberly Peebles	U.S. Army Corps of Engineers, Mississippi Valley Division
Beth Fleming	U.S. Army Corps of Engineers, Mississippi Valley Division
Deanna Prestwood	U.S. Army Corps of Engineers, Mississippi Valley Division
Brian Chewing	U.S. Army Corps of Engineers, Mississippi Valley Division
Jim Cole	U.S. Army Corps of Engineers, Mississippi Valley Division
Samantha Thompson	U.S. Army Corps of Engineers, Mississippi Valley Division
Karl Jansen	U.S. Army Corps of Engineers, St. Paul District
Angela Deen	U.S. Army Corps of Engineers, St. Paul District
Craig Evans	U.S. Army Corps of Engineers, St. Paul District
John Henderson	U.S. Army Corps of Engineers, St. Paul District
Rob Maroney	U.S. Army Corps of Engineers, St. Paul District
Kim Warshaw	U.S. Army Corps of Engineers, St. Paul District
Scott Whitney	U.S. Army Corps of Engineers, Rock Island District
Andrew Goodall	U.S. Army Corps of Engineers, Rock Island District
Marshall Plumley	U.S. Army Corps of Engineers, Rock Island District
Bethany Hoster	U.S. Army Corps of Engineers, Rock Island District
Leo Keller	U.S. Army Corps of Engineers, Rock Island District
Davi Michl	U.S. Army Corps of Engineers, Rock Island District
Dan Smith	U.S. Army Corps of Engineers, Rock Island District
Michael Feldmann	U.S. Army Corps of Engineers, St. Louis District
Shawn Sullivan	U.S. Army Corps of Engineers, St. Louis District
Brian Markert	U.S. Army Corps of Engineers, St. Louis District
Jasen Brown	U.S. Army Corps of Engineers, St. Louis District
John Miller	U.S. Army Corps of Engineers, St. Louis District
Lane Richter	U.S. Army Corps of Engineers, St. Louis District
Dane Boring	U.S. Environmental Protection Agency, Region 7
John Winter	U.S. Fish and Wildlife Service, UMR Refuges
Matt Mangan	U.S. Fish and Wildlife Service, UMR Refuges
Lauren Larson	U.S. Fish and Wildlife Service, Illinois-Iowa Field Office
Heidi Keuler	U.S. Fish and Wildlife Service, La Crosse Field Office
Jennifer Dieck	U.S. Geological Survey, Upper Midwest Environmental Sciences Center
Mike Welvaert	National Oceanic and Atmospheric Administration, NWS
Madeleine Castle	Senator Josh Hawley
Melissa Kenney	University of Minnesota, Institute on the Environment
Brent Newman	Audubon
Bob Sinkler	Corn Belt Ports
Anshu Singh	Corn Belt Ports
Ted LaBelle	Crawford, Murphy, and Tilly
Jill Crafton	Izaak Walton League
Carolyn Mahlum-Jenkins	League of Women Voters – Upper Mississippi River
Olivia Dorothy	Mississippi River Network
Kim Schneider	<i>Our Mississippi</i>
Bryan Hopkins	The Nature Conservancy

Paul Rohde	Waterways Council, Inc.
Doug Daigle	Unaffiliated
Kirsten Wallace	Upper Mississippi River Basin Association
Brian Stenquist	Upper Mississippi River Basin Association
Mark Ellis	Upper Mississippi River Basin Association
Sam Hund	Upper Mississippi River Basin Association
Natalie Lenzen	Upper Mississippi River Basin Association
Ken Petersen	Upper Mississippi River Basin Association
Andrew Stephenson	Upper Mississippi River Basin Association

Minutes

Rick Pohlman moved and Wade Strickland seconded a motion to approve the draft minutes of the February 27, 2024 UMRBA quarterly meeting as provided in the agenda packet. The motion was approved unanimously.

Executive Director’s Report

Kirsten Wallace pointed to the Executive Director’s report in the agenda packet for a summary of the Association’s work efforts since the February 2024 meeting. Wallace elaborated on the following key events and UMRBA products:

- UMRBA has invested considerable staff resources advocating for UMRBA’s priorities in the forthcoming Water Resources Development Act as well as the 2024 and 2025 federal appropriations measures.
- Within the next few weeks, UMRBA is preparing to initiate a hiring process for a UMRBA Ecosystem Program Coordinator position.
- On May 7-9, 2024, UMRR convened a workshop to bring together partners who work on, and participate in, the program’s habitat rehabilitation and enhancement projects and long term resource monitoring efforts. The workshop purpose focused on modeling applications to improve decision making across the UMRS, the design of habitat projects, as well as discuss various emerging programmatic efforts, such as advancing environmental justice strategies. UMRBA provided meeting design services for the workshop, working with an *ad hoc* team assembled by the UMRR Program Manager and the UMRR Coordinating Committee.

Wallace pointed to UMRBA’s January 2024 through March 2024 financial statements provided on pages B-18 to B-22 of the agenda packet. Tim Hall moved and Rick Pohlman seconded the motion to accept the Association’s budget report and balance sheet as included in the agenda packet. The motion was approved unanimously.

Kirsten Wallace provided a brief summary of the Association’s estimates for income and expenses in FY 2024 and FY 2025 as well as major assumptions. In response to a request from Wallace, Wade Strickland moved and Tim Hall seconded a motion to amend the FY 2024 budget for the Association as provided to the Board on May 17, 2024. The projected net income is \$9,268. This assumes cumulative state travel reimbursement of \$5,000.

In response to a request from Wallace, Tim Hall moved and Rick Pohlman seconded a motion to adopt the FY 2025 budget for the Association as provided to the Board on May 17, 2023. The proposed budget assumes full state travel reimbursement – i.e., \$28,500. The projected net income is a loss of \$7,310. Tim Hall moved and Rick Pohlman seconded a motion to approve the Association’s FY 2025 budget as provided to the UMRBA Board on May 17, 2024.

USACE Agency Specific Procedures for Principles, Requirements, and Guidelines

Robyn Colosimo provided an overview of the ASA(CW) Office’s of its new set of Agency Specific Procedures for USACE’s implementation of the Administration’s Principles, Requirements, and Guidelines. The purpose of the renewed agency specific procedures is to provide an updated framework for how the Corps evaluates proposed water resources development projects and programs. The new procedures are intended to maximize public benefits and ensure that recommended projects achieve their water management objectives and better reflect community needs and priorities.

Colosimo reported that the ASA(CW) published the new procedures in the Federal Register in February 2024 with a comment period that closed on April 15, 2024. The ASA(CW) Office is currently evaluating comments received and incorporating changes as needed. The ASA(CW) anticipates publishing a final rule by the end of calendar year 2024.

In response to a question from Loren Wobig, Colosimo said that the ASA(CW) Office will publish a summary of comments received as part of the process. In response to a question from Olivia Dorothy, Colosimo explained that the application of the renewed procedures to any programs or projects requiring supplemental environmental reviews depends on the specific situation. However, the new procedures may allow for broadening the benefits and exclusions.

Flood Risk Reduction and Resiliency Planning

Downscale Hydroclimatic Modeling Predictions

Via a pre-recorded presentation, Zac McEachran presented preliminary outcomes of the Upper Mississippi River Basin downscale hydroclimatic modeling predictions generated by the University of Minnesota and National Weather Service. McEachran explained that focus groups provided input on the scenarios that were run through the models. The final results are anticipated by the end of the calendar year.

Upper Mississippi River System Flow Frequency Study

Scott Whitney described the efforts to renew regulated and unregulated flow frequency curves and hydraulic provides along the mainstem of the Upper Mississippi River System. The existing dataset was published in 2004, using data covering the period of record through 1998.

The total project cost is estimated at \$3.6 million. The Corps allocated \$765 million in FY 2021 through FY 2023. Congress provided a \$1 million appropriation to support the project in FY 2024. That leaves \$1.8 million in remaining project costs.

Whitney elaborated on the Rock Island District’s communications plans to support the project development. Whitney underscored that there must be an open and transparent approach to

communications and stakeholder engagement. It is the Corps' intent to fully address questions, comments, and concerns and record how those inputs were considered and incorporated.

In response to a question from Brian Stenquist, Whitney explained that it may take a few years after the results are published for land management and regulatory agencies (local, state, federal) to integrate the results into their decision making.

Navigation and Ecosystem Sustainability Program

Status Report and Outlook

Andrew Goodall provided an update on the progress of the Navigation and Ecosystem Sustainability Program, with a more detailed assessment of project features and implementation schedule for the L&D 22 fish passage project and the construction of a second, 1,200-foot chamber at L&D 25 and La Grange L&D. Goodall explained that, assuming Congress provides efficient funding to NESP, the L&D 25 lock modernization cost estimate is approximately \$2.263 billion.

Goodall summarized the primary program activities that are ongoing in FY 2024 and are anticipated in FY 2025.

In response to a question from Matt Vitello about the Advisory Panel, Goodall pointed to pages E-1 to E-3 of the agenda packet. There is included the May 2, 2024 memo from the Corps Civil Works Director Eddie Belk regarding the Advisory Panel. It provides rationale for no funding having been allocated to the Advisory Panel to-date, but the possibility of it being allocated funding but requiring a separate line item. Goodall indicated a priority to convening the Advisory Panel.

In response to a question from Olivia Dorothy, Goodall reported that the Corps is developing a systemic mitigation plan for NESP lock construction and is preparing environmental analyses for the second, 1,200-foot lock chamber at La Grange L&D.

Wade Strickland raised the lack of clarity on definition and ways to measure progress regarding the provision of comparable progress in NESP's authorizing language.

Capital Investment Strategy

Michael Tarpey reported that the Corps has initiated an assessment to renew its 20-year planning framework to guide investment in the nation's inland and intercoastal waterways – i.e., the Capital Investment Strategy. Per statutory requirements, the Corps is coordinating with the Inland Waterways Users Board in developing the planning assumptions and investment strategy recommendations.

Tarpey underscored the value of renewing the strategy given the events in the past few years that have had significant impact on the construction schedules. This includes the Infrastructure Investment and Jobs Act that provided \$2.5 billion in fully federal funding for navigation projects and Congressional actions to adjust the Inland Waterways Trust Fund cost share from 50 percent to 35 percent. Congress has also started new construction on several projects, including L&D 25 and NESP as a comprehensive program.

Tarpey said the Corps plans to disseminate a draft report in late June 2024, to request formal input from the Inland Waterways Users Board at its summer meeting (not yet scheduled), and finalizing the report in late summer or early fall 2024.

Tarpey explained that Congress recent enactment of the FY 2024 appropriations are requiring the Corps to adjust schedules. Congress is also considering another adjustment to the Inland Waterway Trust Fund cost share. For the latest information, recent briefings of the Capital Investment Strategy can be found on the Inland Waterways Users Board's website: <https://www.iwr.usace.army.mil/missions/navigation/inland-waterways-users-board/board-meetings/>.

Industry Perspective

Paul Rohde, Waterways Council, expressed appreciation to the Corps for renewing the Capital Investment strategy. Rohde stressed the value of having a coordinated approach among the Congress, the Corps, navigation industry, and other stakeholders in working towards shared goals, particularly in the appropriations process.

Rohde pointed to the Corps' objective to fund projects to completion as soon as possible in an effort to minimize overall project costs and expedite project completion. Rohde expressed support for expediting design of L&D 25 lock modernization so that it is ready for construction funding as soon as possible.

UMR Refuge 100-Year Anniversary

Sabrina Chandler announced the themes and series of events related to acknowledging the 100-year Anniversary of the Upper Mississippi River National Wildlife and Fish Refuge. The primary events will be hosted the La Crosse District Visitor Center in Onalaska, Wisconsin. Information about the celebratory events throughout the Refuge this summer at the following website devoted to the Anniversary celebrations are available at the following website: <https://www.uppermiss100.com/>.

Chandler thanked the Refuge Partners, including Audubon, for planning the celebration events. And, the UMRR Communications and Outreach Team for assisting in disseminating information about the anniversary.

Chandler reflected that local and state support were key to compelling Congress to secure the Upper Mississippi River National Wildlife and Fish Refuge. Chandler underscored the importance of partnership to the USFWS and Refuge System through continued support from the public and government agencies. UMRBA has been particularly important for convening the broader partnership among federal agencies, states, local entities, and private organizations and individuals.

Chandler remarked on the future outlook for the Refuge System. The Service is investing in land acquisition, which will allow for future opportunities to conserve lands, mitigate climate change, and manage the river for ecological purposes. Chandler highlighted the Service's recent expansion of the Middle Mississippi River of about 90,000 acres. Even though budgets are tight for the agency, the Service is pursuing opportunities for land acquisition through the Land and Water Conservation Fund. Chandler underscored the potential to restore the Upper Mississippi River System through a landscape vision.

USACE Mississippi Valley Division

Brig. Gen. Kimberly Peeples reflected on her first year in her command post of the Mississippi Valley Division. Brig. Gen. Peeples said she has been particularly struck by the remarkable partnerships in the Upper Mississippi River Basin, and clarity around the set of issues and opportunities for addressing complex challenges. One of the more instrumental opportunities to connect with partners was the Mississippi River Commission's low water inspection tour in 2023, during which the Commission convened several site visits, public listening sessions, and focused panel sessions on particular issue sets.

Brig. Gen. Peeples emphasized that the strength of the regional partnership, authorities and funding, and state of the science collectively position our partnership to do extraordinary work. Brig. Gen. Peeples invited partners to lean into optimism and innovation, and to provide her office with suggestions related to the Corps' mission.

Waters and Wetlands Restoration

Lauren Leuck provided contextual background to the ASA(CW) Michael Connor's recent policy actions regarding the Corps' investment in wetlands and nature-based solutions, through both nonregulatory and regulatory programs and projects. Leuck explained how the Corps views and incorporates the use of nature-based solutions into its water resources development projects. Leuck cited the proposed new Agency Specific Procedures for implementing the Principles, Requirements, and Guidelines as better allowing the Corps to more comprehensively account for the benefits of nature-based solutions in the evaluation of project alternatives. Acknowledging the potential risks to nature-based solutions, Leuck said the Administration is developing methods for assessing and quantifying the benefits and costs of certain nature-based solutions and determining their project life cycles.

Leuck also pointed to the Corps' ecosystem programs, Engineering with Nature, and beneficial reuse of dredged material efforts as authorities through which the Corps can restore wetlands.

Loren Wobig mentioned the interest from Illinois lawmakers to protect wetlands in the state following the Supreme Court ruling on the *Sackett vs USEPA* litigation. Wobig said it would be helpful to have more clarity on the nonregulatory and regulatory work that will no longer be implemented by the federal government. In response, Lueck said she would explore the potential to further clarify the existing understanding of federal jurisdiction of managing waters and wetlands. Lueck is not aware of a comprehensive analysis.

Federal Agency Fiscal Reports

Representatives from UMRBA federal liaison partners reported on the UMRS-related implications in the FY 2024 appropriations and FY 2025 budget. Representatives included Anna Prestwood (Corps), JC Nelson (USGS), and Sabrina Chandler (USFWS).

A few key highlights include:

- The Corps budget has increased significantly over the past several years, but the increase has been highly variable. Large appropriations have occurred in disaster supplementals and infrastructure-

related spending authorities. The unpredictability in appropriations has presented a unique set of challenges. The Corps has found success in implementing the investments through partnerships.

- USGS continues developing a report to Congress regarding science needs for the Mississippi River Basin. This report builds from a workshop convened in spring 2023.
- USFWS experienced significant declines in the FY 2024 appropriations that affects programs and projects nationally and regionally, after previous years of declining appropriations. It will require USFWS to make sweeping changes to its operations. Chandler will convey those changes to the partnership when available.

Other Business

Future Meeting Schedule

August 2024 in Edina, Minnesota

- UMRBA Quarterly Meeting – August 6
- UMRB Coordinating Committee quarterly meeting – August 7

November 2024 in St. Louis, Missouri

- UMRBA Quarterly Meeting – November 19
- UMRB Coordinating Committee quarterly meeting – November 20

February 2025 to be held virtually

- UMRBA Quarterly Meeting – February 25
- UMRB Coordinating Committee quarterly meeting – February 26

With no further business, the meeting adjourned at 3:30 p.m.