

Minutes of the Upper Mississippi River System Environmental Management Program Coordinating Committee

**February 17, 2000
Winter Quarterly Meeting**

**DoubleTree Hotel
Bloomington, Minnesota**

John Blankenship of the U.S. Fish and Wildlife Service called the meeting to order at 8:07 a.m. on Thursday, February 17, 2000. Other EMP-CC members present were Dusty Rhodes (USACE), Leslie Holland-Bartels (USGS), Marvin Hubbell (IL DNR), Tom Boland (IA DNR), Walt Popp (MN DNR), Gordon Farabee (MO DOC), Terry Moe (WI DNR), and Pete Redmon (USEPA). A complete list of attendees is attached.

Minutes of the November Meeting

Terry Moe moved and Marvin Hubbell seconded a motion to approve the minutes of the November 16, 1999 EMP-CC meeting as written. The motion carried unanimously.

LTRMP Ramp-Up Strategy

Tom Boland distributed a draft LTRMP ramp-up strategy developed by A-Team members. Boland explained that the strategy identifies current LTRMP capabilities and articulates a vision for expanding the program. According to Boland, the strategy is designed to maintain the core monitoring program while adding, continuing, or expanding in the following areas:

- additional monitoring components,
- monitoring in new pools to allow extrapolation beyond the trend pools,
- bathymetric data collection,
- expanded land cover/land use data,
- sediment transport and deposition data and modeling,
- fish passage research and recommendations,
- enhanced linkages among components
- initial information needs assessment (INA),
- refine habitat needs assessment (HNA),
- support for habitat management at pool and reach scales,
- decision support tool development and access, and
- data clearinghouse functions.

Boland explained that the A-Team plans to revise, and perhaps condense, the draft ramp-up strategy. He said the A-Team is not currently seeking any formal response to the draft, but would like to discuss its ramp-up strategy at the EMP-CC's May meeting.

In response to a question from Dusty Rhodes, Jerry Skalak said the Corps was aware that the A-Team was developing the ramp-up strategy but did not participate actively in its development. Boland noted that, notwithstanding the draft document's cover, the strategy represents the A-Team's collective thinking and is not exclusively a USGS product. Holly Stoerker observed that the UMRBA needs at least conceptual information about the LTRMP's ramp-up potential for its FY 01 budget testimony. She said UMRBA staff may develop a simplified concept paper for consideration at the EMP-CC's May meeting. The purpose of such a concept paper would be to articulate a common partner vision for an expanded LTRMP. Terry Moe said he would like to see an LTRMP ramp-up strategy used in developing the Administration's FY 02 budget proposal for the EMP. Moe noted that FY 02 will be a key year for the LTRMP. According to Moe, the restructured LTRMP cannot be implemented with the baseline FY 02 funding.

Program Management

FY 00 Fiscal Performance and Overtarget Request

Mike Thompson offered the following corrected numbers for the FY 00 scheduled expenditures column in the EMP spreadsheet: LTRM--\$4.913 million, Total by Program Element--\$15.739 million, LTRM/UMRBA--\$4.784 million, and Total by Organization--\$16.279 million. In response to a question from Marvin Hubbell, Thompson said the current allocation formula directs 31.4 percent, not 31.0 percent, of funding to the LTRMP. Thompson said this allocation formula will be reflected on future spreadsheets.

Thompson reported that the EMP's FY 00 expenditures totaled \$2.432 million through December 31, 1999. This represents approximately 15 percent of the \$16.279 million in total expenditures scheduled for the year. He noted that construction expenditures are typically a bit slow in the first quarter and expressed confidence in the prospects for full expenditure over the fiscal year.

Thompson also reported that overtarget funding of \$1.826 million for the LTRMP has been approved. This includes \$65,000 that will go to WES and MVP. The St. Louis District may have some overtarget capability associated with construction of the Batchtown and Calhoun Point projects, but Thompson said it is relatively unlikely that the HREP program will receive overtarget funding this fiscal year. Terry Moe commended the Corps on its efforts to obtain overtarget funding for the LTRMP. Moe said it appears funding was provided for all tasks on the LTRMP's overtarget capabilities list. Dusty Rhodes asked whether the Corps can transfer any more overtarget money to the LTRMP this fiscal year without Congressional approval. Janet Hodges said that all of the LTRMP's savings and slippage reduction has been restored. Leo Foley noted that the Corps could transfer additional funding to the LTRMP equivalent to the HREP savings and slippage amount without Congressional approval.

FY 01 Administration Budget Request

Thompson reported that the President has requested \$18.0 million for the EMP in FY 01. Thompson distributed a handout showing tentative plans to allocate an \$18.0 million appropriation as follows:

- \$1.8 million savings and slippage (10%)
- \$110,000 administrative costs
- \$4.988 million LTRMP (31% after savings and slippage and administrative costs)
- \$11.102 million HREPs (69% after savings and slippage and administrative costs)

Rhodes said MVD would have preferred a higher number, but fully supports the President's EMP request. He said the \$18.0 million EMP request should serve as a "wake-up call," demonstrating that the program faces significant challenges in maintaining, much less increasing, its funding.

EMP Implementation Guidance

Thompson reported that Colonel Mudd forwarded his EMP implementation guidance recommendations to General Anderson on December 28, 1999. General Anderson in turn submitted his recommendations to Corps headquarters on January 18, 2000. According to Thompson, the guidance is pending at headquarters. Greg Ruff said headquarters is scheduled to discuss the EMP guidance with staff from the Assistant Secretary's (ASA's) office on February 22. Ruff said preliminary indications regarding the substance of the guidance are generally positive. Holly Stoerker thanked MVD staff for their efforts to clarify the land acquisition language before General Anderson submitted recommendations to headquarters.

Other

Moe noted that the categories in the Corps' LTRMP overtarget list are different from the categories used in the ramp-up strategy and annual plan. He said such differences make it hard for program partners to review documents and track developments. Leslie Holland-Bartels said USGS would review and address the problem.

In response to a question from Rhodes, Deb Foley said the Corps will not release approved capability figures until March. However, she said Corps personnel are free to discuss what can be done under the HREP and LTRMP components as long as they do not release the capability number. Rhodes estimated that EMP could execute an approximately \$25 million program in FY 01. In response to a question from Moe, Holland-Bartels said the LTRMP could execute an \$8.3 million program in FY 01, as outlined in the A-Team's draft ramp-up strategy.

Stoerker noted that the state partners now face a decision that they have not encountered since the EMP's early years — i.e., they want to support increased appropriations, but do not want appropriations to exceed the program's execution capability. Moe cautioned that, if the HREP/LTRMP allocation formula is retained, the habitat projects could slow expansion of the LTRMP if the HREP component cannot ramp up as quickly. Stoerker asked whether the existing allocation formula would be used if the EMP receives increased, but less than full authorized, appropriations. Foley said the Corps has not insisted on maintaining the standard allocation when there is a good reason to deviate. He noted that FY 00 overtarget money is going exclusively to the LTRMP because the HREP component does not have significant additional capabilities.

Rhodes asked whether program partners were advocating increasing the LTRMP's allocation above 31.4 percent even if the FY 01 allocation is \$18.0 million. Hubbell said he was not making such a request. Moe said Wisconsin's position would depend on each component's capabilities. Rhodes said there is nothing wrong with having a ramp-up plan for both components of the program, but emphasized that the Corps' planning for FY 01 is currently limited to the Administration's \$18.0 million request. Moe said he is seeking to increase Administration support for the program in the future.

Outyear HREP Capabilities

Mike Thompson said the districts have the capability to increase the number of habitat projects, but stressed that any HREP ramp-up will also depend on contractor availability and commitments from partners, including cost share and operation and maintenance (O&M). Dusty Rhodes said ramping up the HREP program is likely to be more difficult than expanding the LTRMP. In particular, he noted that the Fish and Wildlife Service's recent letter cast doubt on the Service's ability to participate in project planning and operate and maintain projects on refuge lands. In addition, Rhodes noted that the states' participation in cost shared projects has been limited in the past and does not show signs of increasing. Rhodes said the Corps has not yet responded to the Service's January 27 letter, but said he could not imagine that the Corps would transfer scarce O&M money to the Service for HREPs. Rhodes noted that, even if the Corps were inclined to do so, Congress would likely object strongly to such a transfer.

Pete Redmon observed that the HNA is designed to provide guidance on what habitat projects the EMP should pursue. As such, Redmon advocated completing the assessment before attempting to develop a long-term vision for the future HREP component.

In response to a question from Marvin Hubbell, John Blankenship said the Service's letter applies to all of the refuges on the UMRS. Blankenship said the maintenance backlog on the UMR refuges totals \$14 million. He said he cannot see making additional O&M commitments under these conditions. Blankenship estimated the Service's annual O&M commitment for HREPs at approximately \$330,000. Blankenship expressed frustration with the situation, emphasizing that Region 3 has worked hard within the Administration and with Congress to address the UMR refuges' needs. However, these efforts have not met with success and Blankenship said the region cannot make additional commitments until something changes.

Hubbell asked whether the Service would accept a state offer to assume management responsibility for an HREP on refuge land. Blankenship said the Service would have to consider such offers on a case-by-case basis. Hubbell reported that Illinois is increasing state funding for environmental restoration and said there is interest in using some of this money to partner on EMP projects.

Rhodes said the Service's letter puts the Corps in a difficult position. He emphasized that the Corps will not seek HREP funding that it is not confident it can spend. Leo Foley said the Service's inability to fund HREP O&M could skew project selection to HREPs requiring little or no O&M.

In response to a question from Hubbell, Blankenship said the Service's letter does not preclude the states from proposing new refuge projects. However, Blankenship emphasized that the

states and others should be aware that the Service is operating under significant constraints. He urged the program partners to continue to work with refuge managers on individual projects.

Terry Moe stressed the public's strong support for the EMP. He said there will be a vigorous public reaction if any public agency is seen as reducing its commitment to the EMP. Blankenship said the public has many expectations of the Service. Given resource constraints, Blankenship said the Service must make difficult choices. He noted that many other parts of the country have a higher public profile, and more available resources, than does the UMR.

Moe said Wisconsin has worked hard to develop its cost share capability. He asked the other state EMP-CC members about their ability to cost share projects. Tom Boland said the Mississippi River in Iowa is dominated by refuges and thus presents relatively few opportunities for cost sharing. Boland also noted that state funds for cost sharing are also rather limited, but emphasized Iowa's willingness to do what it can to participate in cost shared projects. In addition, Boland said he understands the Service's resource constraints and said Iowa is anxious to help the Service get the resources it needs to participate fully in the EMP. Walt Popp said Minnesota is quite interested in pool-scale HREPs, which should require less O&M. Popp observed that any such pool projects would involve at least some refuge lands. He reported that Minnesota has not previously participated in cost shared projects, but said the state is looking for opportunities. Gordon Farabee said Missouri strongly supports the Service's involvement in the EMP. He noted that Missouri has 200 miles of river with no refuge lands. Missouri is pursuing opportunities for cost shared projects on the Open River, including projects that will involve land acquisition. Farabee reported that Colonel Morrow of the St. Louis District recently met with the Director and Deputy Director of Missouri Department of Conservation to discuss cost share opportunities. Hubbell said General Anderson's recommended implementation guidance would facilitate state cost sharing. He said providing credit for acquisition costs incurred prior to execution of the project cooperation agreement (PCA) would be particularly helpful.

Rhodes observed that the EMP is at a crossroads. There is an opportunity for the program to grow, but Rhodes characterized the increased cost share requirement as a clear call from the Administration and Congress to increase state financial participation. In addition, according to Rhodes, the technical advisory committee and habitat needs assessment provisions in the reauthorization and the Administration's flat-lined budget request reflect decision-makers' concerns that the EMP may not be building the right projects. Farabee said the states are working with members of Congress to build support for the program.

Jim Fisher noted that the Service's letter identifies a need for HREP planning money as well as O&M funding. Fisher said the \$300,000 requested would not cover all of the Service's planning expenses, but would help considerably. He noted that the refuge budgets are comprised of approximately 95 percent fixed costs, leaving the Service with very little flexibility.

Dan McGuinness urged the states to lead by example in advocating EMP ramp-up. He said Minnesota's pool-scale project proposal is a positive example of state leadership. McGuinness recommended that the states document their current and anticipated contributions to the program.

Bob Clevenstine noted that crosswalk budgeting among the federal agencies has been quite effective in some areas, including south Florida. Rhodes attributed the success of such initiatives more to the high profile of the initiatives than to the power of crosswalk budgeting. He said a proposal for coordinated federal action would be more effective coming from the private sector than from the federal agencies themselves. Boland stressed the importance of getting increased money to the Service if the EMP is to succeed in the future.

In response to a question from Blankenship, Thompson confirmed that MVS could implement the HREP program at its current level through FY 04 with projects already in the pipeline. Leo Foley and Don Powell said MVR and MVP have enough projects in the pipeline to continue implementing at the current level through FY 03. Jerry Skalak said there is approximately \$32 million worth of projects on the books in MVR. According to Skalak, this represents three to four years worth of work even if the HREP program is expanded to \$22 million annually. Rhodes said there are clearly enough projects in the pipeline to execute a ramped up program, but stressed that this would also require commitment from the partner agencies. Blankenship said the Service remains committed to projects already under development. However, as articulated in Region 3's January letter to General Anderson, the Service faces significant constraints to its ability to plan and implement future projects.

Hubbell and Moe stressed the importance of working jointly to address constraints and pursue a ramp-up strategy. Rhodes said the federal agencies can furnish information but cannot develop and advocate a joint ramp-up strategy with the states. Rhodes reiterated his previous observation that many in Washington are skeptical regarding expansion of the EMP. Blankenship reported that the UMR Congressional Task Force sent a letter several months ago urging the Service to increase its allocation of money to the UMR. Blankenship said the Service has yet to respond to the Task Force's letter, despite the fact that Region 3 drafted a response some time ago. According to Blankenship, this lack of response indicates the relatively low priority that the Department of the Interior places on the UMR. George Dusenbury said he will inquire as to the status of the Service's response.

Holly Stoerker said UMRBA staff will work with the states over the next few weeks to coordinate strategies for addressing the Service's concerns and ramping up the EMP. This will include a focus on the states' future cost sharing capabilities. Blankenship said the Service will provide any information that the states need. Hubbell requested clarification from the Service regarding how they should work with refuge managers on new projects.

Habitat Needs Assessment

Final Product

Mike Thompson highlighted the status of the following HNA tasks:

- Technical Team's forecast of future conditions — essentially complete
- Public involvement institutional review — essentially complete
- Public involvement focus group meetings — PI Team will meet in early March to plan
- Meetings with resource managers — will be held in April

Thompson said he will consult with the Technical Team, Public Involvement Team, and EMP-CC in developing the final format for HNA products. Preliminary plans call for an executive summary as well as a lengthier, more technical document. Data appendices will likely be distributed digitally. Thompson estimated that actual writing of the assessment will begin in early May.

Terry Moe noted that Wisconsin does not support the Technical Team's plan to identify habitat needs as the difference between forecast future conditions and desired future conditions. Wisconsin has concerns with the HNA's reliance on future conditions information from the navigation study. Moe said Wisconsin believes this information is flawed. If an inaccurate forecast of future conditions is used to identify habitat needs, then those needs will also be inaccurate. Moe said Wisconsin favors comparing current conditions with desired future conditions in determining habitat needs. Bob Clevestine indicated that Jeff Janvrin has raised Wisconsin's concerns with the HNA Technical Team. While the team is aware that the future conditions forecast has its limitations, the majority of the team endorsed the approach of comparing the forecast future with the desired future to identify needs. Clevestine said the HNA will use the best information available and will acknowledge its potential limitations. Gordon Farabee said the Technical Team's meetings with resource managers will be very helpful in refining the future conditions information from the navigation study.

Applications and Limitations

Clevestine said the HNA is intended to help guide the HREP design and prioritization process. He said the query tool should be an efficient way of mining the existing data for relevant information. The first iteration of the HNA will identify habitat classes that are either absent or sparse on the river and will also articulate a consensus-based desired future condition for the system. In addition, the HNA will identify data gaps and help focus future data collection. Among the limitations of this first HNA will be its reliance on relatively old spatial data. Clevestine said the species/habitat relationships used in the assessment will also need to be refined over time.

Clevestine noted that each state and federal agency has its own authorities, mandates, and existing plans. He emphasized that the HNA will not supplant or override these other missions and mandates.

Tom Boland expressed optimism regarding the potential of the query tool. He cautioned that the tool should not merely be updated every six years when preparing the required report to Congress. Instead, he advocated updating the tool continually, as new data become available. Leslie Holland-Bartels said only 1989 land cover/land use (LC/LU) data were available for the first iteration of the query tool. According to Holland-Bartels, it will be relatively easy to integrate new LC/LU coverages into the query tool as they become available. She also emphasized the need for other types of data, including bathymetric data, which she described as key to establishing better species/habitat relationships.

Moe said Wisconsin is prepared to provide any new data as it becomes available. He asked whether UMESC needs to establish a budget line item for maintaining the query tool and incorporating new data. Thompson said the Technical Team has clearly identified on-going

maintenance of the query tool as essential to the HNA. Thompson and Holland-Bartels said they would explore the question of what resources will be required to maintain the tool.

Dusty Rhodes said the HNA report should include a section on the assessment's strengths and what could be done in the future to improve it. Jerry Skalak said the HNA will identify a variety of data needs. The information needs assessment will provide a means for considering these data needs along with additional needs identified by river managers and others. Skalak noted that many of the same people who are working on the HNA will be involved in the INA. He expressed optimism that the HNA query tool will help link the LTRMP and HREP components.

Keith Beseke asked whether ranking additional HREPs should be deferred until the HNA is completed. Clevenstine said there is no urgent need to rank additional projects and advocated waiting until a process for using the HNA can be developed. Clevenstine noted that the Fish and Wildlife Interagency Committee is meeting soon and will be considering how the HNA can be used to help rank projects. He cautioned that the HNA will identify pool-level goals and provide general estimates of habitat types but will not include site-specific data and goals. Thus, one of the challenges for people involved in identifying, designing, and prioritizing HREPs will be to determine how best to use the somewhat general HNA information along with more site-specific data.

Thompson highlighted the following next steps for the HNA:

- Determine format for the final HNA product
- Hold focus group meetings in March and April
- Hold meetings with resource managers in April
- Write report in June and July
- Submit HNA to MVD by September 30, 2000

HREP Prioritization Process

Mike Thompson reported that he and Leo Foley have been working with a small, ad-hoc group to draft an HREP prioritization framework. He emphasized that the group's draft is very general and is designed to elicit comment from the EMP-CC. Marvin Hubbell explained that the draft framework is a multi-stage process that permits evaluation of proposed projects at various points. Hubbell described Stage 1 as a district-level process of identifying ecologically sound projects. Stage 2 is a systemic look at the ecological merits of proposed projects. Not until Stage 3 are administrative considerations evaluated. Hubbell said the ad-hoc committee envisions a partnership approach during all three stages. Holly Stoerker noted that the draft framework does include a basic check for major administrative issues during Stage 1. Barb Naramore stressed that the ad-hoc committee deliberately kept the draft framework as a conceptual document. She explained that the committee wanted feedback from the EMP-CC on the basic concepts before addressing more detailed issues.

Dusty Rhodes said MVD has not reviewed the draft framework and therefore is not prepared to comment. However, he noted that initiating work on an HREP prioritization framework is generally consistent with the EMP-CC's previous discussions concerning how to incorporate

the HNA into the project selection process. Rhodes noted the EMP-CC's previous consensus that the HNA should function as a tool in the toolbox when it comes to designing and prioritizing HREPs.

Gordon Farabee asked whether the three districts would work independently to develop ecological evaluation matrices. Thompson explained that the District Ecological Teams' matrices would need to be sufficiently similar to permit system-level consideration of projects, but emphasized that the three matrices need not be identical. Thompson explained that the ad-hoc group anticipates the district teams will use refined versions of the existing MVP and MVR matrices. Among the refinements would be incorporation of the HNA as an element in ecological evaluation.

Rick Frietsche said the district teams' decisions should be ecologically based and expressed concern with the prospect of the district groups eliminating any project based on administrative criteria. Stoerker described the Stage 1 consideration of administrative factors as a basic check designed to avoid spending significant money planning a project that has no chance of being construction. Bob Clevestine agreed that such a check should be made early in the process, but recommended this be done by someone other than the district-level groups. Leo Foley emphasized that this basic check is designed only to identify projects with clear and significant problems. He said such projects are relatively rare in his experience. Naramore clarified that the district groups would retain discretion regarding what to do with such projects and would not be precluded from forwarding a project that has administrative impediments.

Terry Moe expressed concern with the idea of a system-level ecological team comprised of outside scientists. Moe said such a group might be acceptable if it was composed of people from the three district teams. However, he said this approach would be unnecessary if each district teams simply evaluated its projects at the pool, reach, and system scales. Moe also recommended adding O&M costs as an administrative factor to be considered during Stage 3.

Thompson said he is not sure there would be much purpose to a System Ecological Team comprised exclusively of district team members. He suggested that the system ecological evaluation would benefit from having a broader range of perspectives and experience on the team. Walt Popp said he favors having a mix of district team members and outside scientists on the system team.

Moe emphasized the difference between the prioritization process outlined in the framework and the generation of project ideas. Moe said project ideas can come from anywhere.

Rhodes asked whether it would be feasible to present General Anderson with a fully coordinated HREP prioritization process along with the HNA in September. Foley said this could probably be accomplished, but cautioned against linking the process rigidly to project funding. Rhodes said he anticipates that the Corps would simply work as far down the list of project priorities as the funding permits each year. Thompson and Foley said the prioritization process will yield a group of high priority projects, not a strict listing of projects in priority order. Hubbell said this approach is preferable to a strict ranking because it preserves flexibility on important issues like maintaining capabilities in all three districts.

Jim Fisher asked whether the System Ecological Team is equivalent to the technical advisory committee called for in WRDA 99. Hubbell said the system team is designed to fulfill the need to think systemically about HREPs. He cautioned that truly systemic thinking is unlikely to take place at the district level. Rhodes noted that the ASA has not yet issued WRDA 99 implementation guidance. Thus, no decision has been made as yet regarding the technical advisory committee.

Farabee asked about the timeframe for implementing the prioritization process. Rhodes said the Corps will initiate a new HREP selection process in FY 01 that is consistent with WRDA 99 and the ASA's implementation guidance. According to Rhodes, the new process will be implemented gradually and will have little effect on projects that are already well advanced. He said he wants to apply the new process to planning starts beginning in FY 01. Farabee stressed the importance of developing a process that is consistent across the three districts.

Thompson suggested that the ad-hoc group refine the draft framework between now and the EMP-CC's May meeting. Toward this end, he requested comments on the current draft by March 3. Rhodes encouraged the ad-hoc group to continue working on the framework, but cautioned that the EMP-CC should not be asked to endorse a final proposal until they have reviewed the draft HNA.

Other Business

Dusty Rhodes described the Administration's current budget projections for the EMP. Relative to the FY 01 request, those projections include reduced funding in FY 02 and 03, essentially flat funding in FY 04 and 05, and somewhat increased levels beyond FY 05. Rhodes noted that these projections are not reflected in the "balance to complete" figure in the current EMP spreadsheet. He said the number on the spreadsheet is not meaningful and will be removed from future spreadsheets.

Tom Boland said the cover of the A-Team's draft LTRMP ramp-up strategy suggests that the strategy is a USGS document. Boland clarified that this is not the case and said USGS's logo should not have appeared on the cover.

Holly Stoerker announced that future EMP-CC meetings will be held on May 18 in Madison, Wisconsin; August 10 in the Quad Cities; and November 16 in St. Louis, Missouri.

With no further business, the meeting adjourned at 11:35 a.m.