

## Upper Mississippi River Commission Notes

City Hall

Prairie du Chien

October 15, 2003

**Present:** Commissioners John Campe, Bill Howe, Robin Grawe, Marc Schultz, John Wetzel, Bill Burke, and Kent Pehler; Ivan Hoffland of Lansing, IA, Mike Griffin (Iowa DNR), and Kent Pfeiffer of Marquette, IA.

**The meeting was called to order at 10:15 AM by Chair John Campe.** Guests were introduced.

**Moved by Howe, seconded by Wetzel to approve the agenda. Motion passed.**

**Moved by Schultz, seconded by Burke to approve the corrected minutes of the September 17 meeting. Motion passed.**

**Treasurer's Report:** The Treasurer reported that we have \$1537.05 in the account and that we anticipate further monies from the agencies, including \$1500 from the National Park Service, for the dissemination of Poolplan information. He said we had received a total of \$2050 from Bill Howe, Jim Sieben, and the Minnesota DNR and that we had expended \$500 to the IRS to apply for our tax status and \$12.95 for checks. The Treasurer reported that he had determined from legal counsel that because of the MRCC's low income, it was not required to file an income tax return at this time. **Moved by Howe, seconded by Wetzel to accept the Treasurer's report. Motion passed.**

### **MRCC mission in Pools 9 and 10 and NE Iowa:**

Beaches and dredge material: Howe announced that the Wisconsin and Iowa DNR's had scheduled a review of beaches in Pools 9 and 10. Burke noted that the Corps had increased the rate of transferring dredge material from the temporary storage site at Indian Camp Light to the Lansing Bridge beneficial use site. The popularity of dredge material for beneficial uses was noted, and Howe said we should encourage the states to use dredge material, especially near Stoddard. Burke noted a need to rehash the beach plans for Pool 9 since the 1980's plan was now outdated, noting a severe deterioration in the number and size of beaches since the time when islands were created or replenished by dredging operations. Griffin noted that in 1997 the IDNR had been recommended small quantities of sand for beach upgrade. Schultz noted the small quantities needed per beach made the work expensive. Burke noted also that vegetation was overtaking beaches. Griffin noted that Iowa has no provision like Wisconsin's to use a portion of the gas tax for recreational use; he also noted that beach plans were on hold because the Fish and Wildlife Service, a participant in beach planning, did not want to sign off on beach plans before completion of their federally mandated Comprehensive Conservation Plan. Schultz noted that the Service was required by law to have the funds to manage any activity they allow. It was suggested that given limited funding or the Service, beaches might be turned over to the Corps for management. Howe noted that with a shortage of beaches in all the pools, recreationalists were creating new beaches in areas that should be

protected for wildlife. Pehler said the Service should maintain what they have before acquiring additional land. Griffin disagreed, arguing that acquisition of land for wildlife should not hold up beaches. Burke pointed to the beach at mile 664, a popular beach in the '50s and '60's, now almost inaccessible because of shoaling. He asked if the shoaling could be dredged. Griffin responded that it depends on how often you want to dredge the same sand. Burke noted that the island created a sharp turn for barges to navigate. **Moved by Pehler, seconded by Howe to ask the Fish and Wildlife Service to provide an update on the status of Beach Plans within the CCP. Motion passed.**

Blackhawk Bridge: Burke noted that a corridor study was being done to replace the Blackhawk Bridge, noting the Coast Guard would play a key roll in styling the bridge because of the span. Noting that while it affected both Iowa and Wisconsin, the Iowa DOT was the lead agency, given the importance to the area economy in Iowa. Burke questioned if there might be a role for the MRCC. Commissioners expressed interest in following the issue, and Grawe suggested that the MRCC might play a role in assisting with public information, public involvement, consensus seeking, or agency coordination.

Pool 9 EMP Projects: Griffin reported the following:

Pool Slough near New Albin IA, a manageable wetland complex, is supposed to be bid in Nov 03, with construction to be completed by Nov 04.

Conway Lake/Philippi Lake near Lansing IA. is in the preliminary stage of development. Two public meetings have been held, but the project has been delayed because of budget shortfalls.

Capoli Slough South of Lansing, IA is waiting for funding, though the DPR is complete. It should be constructed this fiscal year.

Harpers Slough North of Harpers Ferry IA is also delayed because of funding,. The DPR almost complete and construction is possible in 04-05

Howe encouraged Iowa to place acres into public trust in the New Albin area, perhaps purchase easements, and encouraged a joint meeting among the agencies to determine how to promote easement acquisition at the mouth of the Upper Iowa. It was determined that the approximately 2500 acres in question were 85% in agriculture, in a plain that sloped gently away from the levy. Griffin noted that the river had been straightened in 1927 and levied for the last five miles.

Private Financing of Public Projects: Pehler reported that because of budget constraints private industry had been financing several construction jobs, both EMP and O and M, in Pool 11. The Corps, he said, promised to eventually pay for work performed but promised no interest.

**Missouri River management—implications for the UMR:** Kent Pehler said that we need to make the public and the politicians aware of the impact of proposed modified Missouri River management plans for on the Mississippi River corridor from St. Louis to Cairo. He said that today the St. Louis gauge reads -2 while the normal is 11, and in January barges will be unable to get into the St. Louis harbor. He said that the modified plan is a result of a study going on since 1994 in order to protect species, even though we are seeing an increase in birds and the pallid sturgeon is endangered not because of water management but because of the introduction of walleye, which eat sturgeon. The plan would call for a reduction of flows at the hint of a drought in upper basin states and would result in the lowering of water elevation two feet or more in November in one of three years.

Howe commented that recreation has turned politics around, providing other water management purposes other than agriculture. Schultz questioned whether anyone understood water management on the Missouri, claiming that with insufficient data, we are working on speculation. Griffin said the Corps has hydrology data, that we had seen a 10-year drought that boat ramps were high and dry and hydroelectric dams affected. Pehler said that historically water from the Missouri was needed for navigation on the Miss in June, July, and August after the spring floods and in November through the winter. Griffin said the compromise plan was to increase flow 15% in spring, cut in June through August, and release it in the fall. Schultz noted that reservoirs have high evaporation rates. He also noted that the concern for the MRCC and the Upper Miss was navigation, and that Mississippi interests must be protected. Wetzel commented that projects look at average flows, not extremes. It's hard, he said, to always provide all benefits to all parties and perhaps uninterrupted navigation may not be in the cards. He questioned whether we should take a new look at the St. Louis to Cairo stretch and consider another solution other than dependence on the Missouri River. Pehler noted that the impact was not just in that stretch, that there was a danger of shutting down the entire upper Miss and all navigation dollars would go to the Ohio. He suggested we might need 300 x 2000 foot locks on the lower Miss. Burke commented that there was little commercial navigation in the Upper Miss until the Federal government during the depression built the locks and dams. Pehler commented that the time the railroads were holding shippers hostage. Burke said it may take a huge Federal infusion to keep navigation going, and that would invoke great environmental resistance. Pehler said that the industry wanted the old plan to continue because it worked. Wetzel said that the old plan has its problems which are only now showing up as new voices are heard. Even if you win this battle, he said, can you count on water indefinitely. Griffin noted the risk of maintaining St. Louis to Cairo at the expense of Pool 10. Schultz suggested that somebody needed to raise the Missouri river at the Navigation study public meetings. Campe added we needed to talk with our Congressional delegation; Schultz added the agencies.

**Annual meeting:** the Annual Meeting was set for November 5 at the Fish and Wildlife Service building, 555 Lester, Onalaska, WI from 10:00 to 3:00. The purpose would be strategic planning.

**Electric carp barrier:** Schultz reported that the Minnesota DNR was doing a feasibility of study of constructing an electric barrier at Lock and Dam 8 or 9 to prevent the spread of Asian carp. He questioned how such a thing was possible. Griffin commented that Asian carp were

not confirmed but indicated in Iowa and said that Iowa had pointed out they had an interest in fish passage.

**Wisconsin NR 115 (shoreland rules):** Schultz reported that Wisconsin had proposed new flexible regulations, creating a “shoreland zone” with a primary and secondary buffers to restore natural vegetation. He said he served on an advisory group which was meeting in La Crosse on December 1 at Onalaska High School. He said that the new regulations would apply well to lakes but not to the Mississippi River where the only sensible buffer is rock and that the regulations would have a significant impact on boat landing.

**Commissioner Reports:** Campe noted that Governor Pawlenty’s CREP plan addressed 42,000 acres in Southeast Minnesota.

Grawe noted that the Fish and Wildlife Service had informed her of a staff meeting on November 5, the date of the next MRCC meeting, thus preventing them from addressing beach plans at that meeting.

Griffin asked if the MRCC was still pursuing a UMR seat on the Mississippi River Commission. Campe responded that investigation had discovered that the only possibilities were to decommission a commissioner (commissioners seemed to be perpetual) or to expand the commission to include more members, which would take Federal legislation. He said that Congressman Kind’s office had looked into the issue.

It was noted that the navigation study public meetings were proceeding ahead with no discussion of the impact on the Mississippi by Missouri River management. **Moved by Wetzel, seconded by Burke to authorize Marc Schultz to raise the issue of the impact of Missouri River management on the Mississippi at the Navigation Study public meetings. Motion passed.**

**The meeting adjourned at 12:05.**

Respectfully submitted,

Robin Grawe, Secretary

