

MEMORANDUM FOR Record

SUBJECT: Minutes of River Resources Forum Meeting #85, August 25th & 26th, 2009

1. Introductions / Approve Minutes/ Meetings– A meeting of the River Resources Forum (RRF) was held on August 25th and 26th, 2009 at the Effigy Mounds National Monument, Harpers Ferry, IA. Following introductions, the Minutes from RRF #84 were updated and approved with changes.

The next meeting is scheduled for the 1st and 2nd of December in the Bloomington Area

2. Agency Activities – (Only the agencies listed below had significant information to report.)
- A. W DNR (Fischer): Many stimulus package projects. State budgets are tight 10% cut; all state employees required to have an 8 day furlough. Losing 28 FTE in water division alone; major restructuring the department looking at reaching across regional lines. Team leader will be filled in 2 – 4 years, all permitting staffs are short staffed – so please be patient in permit requests.
 - B. NPS (Labovitz): Close to signing an EIS for Bureau of Mines property. NPS is working on the Mississippi River trail, Headwaters to the Gulf. UWCA – Urban Wilderness canoe area, 10,000 kids on the river this year. Meeting in Red Wing Sept 24th – 26th, erosion on Picnic Island.
 - C. TNC (Benjamin): Sustainable Mississippi River Conference – ecosystems had different breakouts supplied information to Congress and Miss River Commission. Alexandria Cousteau keynote speaker – she had 5 min spots on her website alexandriaccousteau.org that are about the river. Congressional tour scheduled for August 27th cancelled due to lack of interest hope to reschedule late September or October.
 - D. W DOT (Kieck): WI is in a bit of turmoil with budget. There will be a new governor in next election. Brennan Marine harbor grant is in place driving pile at a rapid pace in La Crosse they expect to finish this year. Allows for dredging; the grant was worth \$2.4 million. Ferry boat grant: stimulus funded to City of Cassville 100% grant for the purchase of a new ferry boat. No matching required however there is a significant reporting requirement. Not sure on timeline \$1.8 million grant, no updates to dock facility. Four applications for \$12.7 million Harbor Assistance Programs - \$11.4 is allotted for biennium.
 - E. M PCA (Mader): Budget is a little better in Minnesota no furloughs for employees. Commissioner is still acting. Budgets for FY 12 & 13 look worse than FYs 10 & 11. Judy will retire in FY 11. Plan to have the Corps permit done by January 2010.
 - F. MnDOT (Lambert): MN DOT is busy rehiring retirees. \$1.4 Billion in projects almost ½ are stimulus projects. Waterways – project in Duluth to repair sheet pile that is eroding. In grant used term “retaining wall” not a “sea wall” to FHWA for grant, maritime agency may manage if FHWA doesn’t want it. Tiger funds: \$1.5 Billion in lower 48 for projects submit applications by September – granted in Feb 2010. MN has \$1.2 billion alone for tiger fund requests. Port development \$3.0 million from Legislature for projects in Duluth, St. Paul and Winona.
 - G. LMRWD (Schwalbe): Working on the 5th generation 10 yr plan – 80% complete first review in first quarter of 2010. Action item: RM 20 in Eden Prairie – Bank Stabilization issue first seen in 1986 then in 1993 more sloughed off. Both years city went to Corps, no success 2007 aerial photos show more sloughing. Request for proposal is out there to see what needs to be

done in that area, maybe fund with clean water money. Big concern is when to notify property owners. RM 22 Old Peavy terminal have plans for expansion of that terminal. Pier is collapsed into the river. Who has jurisdiction to remove the pier? The area is part of 4 foot channel not part of 9 foot channel. Many factors: River, ground water, old landfill. MN River dredging completed mid-August there was an erosion problem, L&S fixing slope, Corps will look at long term plan.

- H. M DNR (Wooden): integration of Division of Waters and Ecological Resources is going forward. Deadline is June 2010. Governor is not running again – change in administration. Colonel Christensen, Dan Wilcox and Judy Des Harnais met last week with DNR management regarding fish passage at Lock & Dam 3 project, and the timing of the DNR permit for the navigation safety improvements, and also permit issues at the Pool 8 islands project.
- (Johnson): General permit will expire this year needs to be renewed – MOU needs to be renewed. General permit is for placement below the Ordinary High Water Line – MOU is for above OHWL. The DNR received funding to develop rules for managing land in the Mississippi River Critical Area, which is designated the Mississippi National River and Recreation Area (MNRRA) by the National Park Service. The DNR will work cooperatively with the Park Service on the rulemaking, and will invite the St. Paul Port Authority, the towing industry, citizens, local government units, and other interests such as Summit Brewery and Ford Motor Company to participate.
- I. I DNR (Hayer): Iowa contracted this year for the first time \$1 Billion + on Highways. Some cuts in staffing no reduction in force or furloughs. If there are any more cuts they would have reductions. The DNR director has 10 priorities – the Mississippi and Missouri Rivers are not currently in the top 10. Historically DNR has tried to spread the recreation options throughout the state. Bernie is trying to put more focus on the two rivers.
- J. USFWS (Sullins): December forum meeting agenda – discuss new mussel listings coming up on the river. Sam Hamilton new director of the Fish and Wildlife Service – climate restoration is important to him. Gary Wege has retired – is a volunteer on occasion – Thanks to Gary for his many years of service on the river.
- Possible mussel listings on the river: spectacle case, sheep nose, snuff box.
- (Frietsche): Don Hultman's position not filled yet maybe mid September.
- K. USCG (Zekus): Out of the six people in his office three are new so a lot of quick learning occurring. He has been in the job for a month.
- L. COE (Tapp): ARRA projects [Attachment 85-1] LUAP public notice out comments to Dick Otto by September 4th. Floodplain letter Col. Sinkler responded with a positive letter, group forming under NESP. Terry Zien to talk at December RRF on Floodplain restoration. MN DNR would be interested in hearing about the Silver Jackets, TNC would be interested in policy issues with Floodplains. Right now there has been some regional discussions between the RRCT, RRAT, RRF and the Illinois waterways group. MVR is coordinating with other Corps reps to figure out a way to hold a joint meeting. (DeZellar): There is not a lot of momentum to have the groups work together. Ron Benjamin thinks the UMRCC provides a good forum for all the groups.
- LiDar-LTMR out of Rock Island is managing the collection - \$3 million cost. Fischer will forward information to Scot Johnson the bathometry that has been collected.
- (Presentation to Gary Wege from Co-chairs Tapp and Fischer)

3. Channel Maintenance Program Activities

- A. Dredge Schedule (Cottrell) [Attachment 85-2]

B: Channel Management / Placement Site activities (Lund): [Attachment 85-3]

Cargill East River status – contractor there today fixing slope. Scot Johnson asked about putting rock there as part of the plan. MN DNR conditional use permit requires: dredge material removal before a flood event (no road in place), vegetation control; leafy spurge and thistle are found on the site. Scot Johnson would like to see a site plan and sit down to discuss it.

- C. Lost Island – During reshaping in June a swallow colony was destroyed. St. Olaf College was studying another colony in the area and noticed the colony before it was destroyed. FWS contacted Lisa and cooperatively a brochure will be created to educate Corps employees and contractors about swallows, the brochure will be put on kiosks as well. The goal is to keep them from nesting on the placement sites if not accomplished to not disturb during nesting season. Scot Johnson would like to make meetings like this in the future an On Site situation rather than just FWS and COE. The finalized MFR for the swallow meeting will be sent out.
- D. (Machajewski): Island 112 closure – completed on 9th of July. Secondary channel at RM 826.7R dropped due to Macalester College input.
- E. Boulanger Slough – Planning process has began to create a PAR. Carter slough Pool 3: capping structure will have material added to it to help stop erosion.
- F. (Krumholz): Lower Pool 4 Channel Mgmt Study [Attachment 85-4] goal is to unload islands on lower end of the pool, look at potential upland sites. Sedimentation management. In reference to reviews Jim Fischer with W DNR said with cutbacks Wisconsin may have a difficult time providing timely input.
- G. (Machajewski): The island 116 dredging was done to encourage scour.
- H. Bridges Update – Lowry Avenue: on Father’s day all steel imploded will be completed with demolition end of August 09. Construction complete in 2011.
- St. Paul Park Bridge - (Lambert) US Coast Guard ordered bridge to be demolished. Counties did some work this past winter; state legislature said they want to preserve the bridge. US Coast Guard is to going to talk to the State. Dakota Co. received a grant to make it a fishing pier, or viewing platform. Currently waiting on meeting between Coast Guard and the State.
 - Hastings Bridge – on July 15th replacement was narrowed down to Bridge Arch or Cable both design build. Out for RFP 11/09 back by 3/10 causeway is a concern. Judy Mader is the construction / storm water rep.
 - Hwy 43 bridge Winona – Meeting scheduled in September, 18 months to determine alternative.
 - I 90 bridge at La Crescent – Box girder is the current preference, ramps in both directions. Final review 9/09 – Draft EA 10/09 large potential for beneficial use of dredge material.
 - La Crosse R/R bridge- There will be river and rail delays. Funding is \$13 million short of the \$50 million needed.
- I. Nelson Mine (Pool 2): wetland mitigation a problem.
- J. Prairie View – City of Newport – proposing a dock near the channel, NPS is invited to the meeting.

Day 2

4. Navigation Work Group (Machajewski):

- A. Red Wing boat docks – WI upper pool 4, met May 21st. Permits were not coordinated with everyone current dock configuration may not be totally with in the permit. Dock owners will

work with patrons on their docks – boats are back in same area. Coast Guard Auxiliary will work with owners to develop emergency action plans. Dock owners will do land based surveys, as of right now docks are probably not going to be moved.

- B. Mooring Buoy below LD8 – Was first deployed in 2003, had a public meeting on July 16th for input from anglers, anglers do not anticipate a problem. Native species getting wrapped up, hope to move it by September depending on if equipment is available.
- C. NWG / FWLW – Lake Pepin sailing line issue will be looked at.
- D. Movement in our district to install more flow meters at dams, currently trying to measure the out draft current of LD 3.

5. NESP / EMP (DeZellar) [Attachment 85-5]

- A. Pool 8 Islands tour, 2B construction complete, 3A contractor Portable Barge is moving forward. Notice of violation from MN DNR, access dredging for Raft Channel, more mussel surveys are being assessed. Dennis Anderson is working on a draft DPR for Capoli Slough, DeZellar will be working on Harpers Slough next FY. Next year work will be done on 3A islands - \$4.1 million ARRA funding has accelerated timeline by 1.5 yrs. Transition Plan – if EMP moves into NESP without loss of tools like LTRMP.
 - B. Received Draft language from Senate Plan. Inland Waterway Trust Fund is the solution, \$.20 per gallon for all fuel by commercial vessels provides 50% cost share on projects. Would open the door for EMP with new starts. (Genz) Industry says that projects need to be funded fully up front, historically it has taken a long time over many years which drives costs up. (Walker) Benefit to cost ratio of locks is less than 1:1.
 - C. Report to congress EMP – MVR leading the effort similar to 2004 report. Report is due to Congress in December 2010. House budget for EMP \$20 M Senate \$18 M about \$3.5 for St. Paul District.
 - D. NESP – Project Status – Forest Mgmt plan Reno Bottoms pilot project. Randy Urich's team is working with Elliott Stefanik's team. Will have plan out in early 2010. Project Q2 – Root River – feasibility cost share under NESP, agreement is at Division for review. Funding is to do feasibility report – there is no construction funding.
- Pierce Co. Islands – documents in place passed to WI DNR
Pool 2 wing dam project – complete side channel part was dropped. First shovel ready NESP project – Kevin Malloy out of office at MPCA.
Budget scenarios – NESP - \$9 million, \$11 million, \$13 million not expecting construction general funding \$0 budget markup for NESP. Four new starts in FY10 if funding is there.
Implementation report to Congress – Submitted to MVD on 7/30/09.
(Genz) in EMP the metro area has been neglected due to the waiting for NESP.
(Genz) Address the problem from the Forum Group – letter stating language should be changed to allow EMP money use on other than USFWS land.
(Fischer) If a letter who should it come from? (Sullins) Who should it go to? UMRBA usually is the voice to Congress? Issue paper? Feed info to UMRBA – issue paper necessary. Barb Nerum will be called by Bernie (IA DNR).
(Wilcox) NESP Reach Update (Attachment [85-6]) Goal is to set Reach and system-scale objectives.

6. FWWG (Reid)

- A. Lake Pepin Sailing Line – concerned with re-suspension of sediment and paddlefish kill. Water quality data has not been looked at yet. Is slowing down a solution? FWWG will look at sedimentation information – will not ask industry to slow down at this time. Next FWWG

meeting in November. (Tapp) the change in ice measurement is just a measurement change not a navigation change.

- B. Hydro kinetic power plants – LD 2 MPCA said 3 yr monitoring required at LD 2. WI DNR (Fischer) would like to see the FWWG review the problem specifically. NPS (Labovitz) the FERC has not addressed their concerns in relation to the plants. (Wilcox) impact on fish is greatest concern. NPS (Labovitz) concerned with recreation impacts. USFWS (Sullins) should be on FWWG Nov agenda, suggested to contact Joyce Collins.

7. WLMTF (Stefanski) [Attachment 85-7]

- A. New Brochure coming out
- B. Drawdowns Pool 6 in 2010, Pools 8 & 3 in 2012
- C. October Mtg scheduled for WLMTF

8. (Otto) Working on a challenge Cost Share to use small Wisconsin Dredge. Scot Johnson suggested talking to the small scale dredging group.

9. LD3 Update (Wilcox)[Attachment 85-8]

- A. MN DNR (Johnson) would like to have a copy of the design build specs.
- B. As of now there is no fish way included, but WI DNR (Fischer) feels a fish way needs to be included, Dan said that the project does not have the authority or funding to add a fish way at this time. A feasibility report for a fish way is complete and the costs to add it to the project have been calculated.
- C. Red Wing Wildlife League – Mitigation plan will be sent out by Lisa Lund to the On Site group.
- D. Industry impacts (Machajewski) draft for LD3 construction (Genz) industry is recommending 1 helper boat and 2 helper boats during out draft conditions. If there are any comments get back to Paul M. by September 9th. Public Meetings may be a solution, environmental restrictions are in the contract and anglers downstream may be impacted
- E. (Mader) Water Quality plan has been reviewed by the Corps, UMWA has talked about issues.

10. Rec Work Group (Berg)

- A. Next meeting – conference call the end of September.
- B. Final Draft Pool 9 beach plan and Pool 10 initial plan out for review.
- C. Where to house the Recreation Boating Website is up in the air, St. Mary's can no longer do it - maybe one of the agencies can post it?
- D. Canoe trail brochures have been updated – cost sharing on those.
- E. ARRA Recreation Projects – eight projects funded, 6 at Eau Galle Reservoir, Blackhawk Park in Pool 9 had two projects shoreline protection and finish camp loop.
- F. Cost sharing on water safety messages with other agencies; displays etc.
- G. (Johnson) Update on UMRCC 21st – 23rd of September Rec Tech section plans to merge with education and outreach. Cynthia Wheeler and Ruth Nissen have all been active.

11. Misc. Items

- A. (Labovitz) – Working on the Mississippi weblink; systematic program of the land based Mississippi River trail.
- B. (Genz) – As far as industry is concerned the St. Paul Park Bridge should be entirely removed.
- (Lambert) – Can NPS write letters to congressmen and if so he recommends that is done.

Steve Tapp
Co-Chairman, RRF

Attachments:

- 85-1: ARRA Handout
- 85-2: Dredge Schedule
- 85-3: Channel Management & Placement Site Activities
- 85-4: Lower Pool 4 Channel Mgmt Study
- 85-5: NESP and EMP Status update
- 85-6: NESP Reach update
- 85-7: WLMTF Update
- 85-8: Lock & Dam 3 Update
- 85-9: Sign in sheet