

CEMVP-OP-CH

MEMORANDUM FOR RECORD

SUBJECT: Minutes of River Resources Forum Meeting #98, December 3-4, 2013

Introductions (All)

- Minutes from RRF #97 were approved
- Next RRF meetings: April 22, 2014, Winona, MN; August 19-20, 2014, two options: Wabasha-Grand Encampment site visit; Prairie Du Chien- Capoli Slough site visit; December 2-3, 2014, St. Paul, MN

Agency Activities- COE (Steve Tapp)

- General DeLuca replaced General Peabody
- Lock and Dam 8 dewatering began 2 December 2013 and it is projected to be finished by 10 March 2014
- WRDA may cause USAF to be closed if the current bill passes
- Currently operating under a continuing resolution
- Al Van Guilder was promoted to Lead Survey Technician

Agency Activities- MDNR (Dan Dieterman)

- The southern district supervisor position has been created, and it was filled by Gene Daniels
 - It is hoped this position becomes an integral part of the RRF
 - Gene is now Corey Hanson's supervisor
- Developed MPARS, an on-line permitting system
- Don Perera is the new chief of fisheries
- Still moving forward with Lassairds Outdoor Heritage Project, \$1.1 million in funds are available and have until 2017 to execute these funds
- Pool 3 HREP planning has ramped up, consuming a lot of time

Agency Activities- FWS (Tim Yager)

- The northern long-eared bat will likely be listed as endangered
- Fisheries- Pam Thiel retired and Scott Yess is acting
 - Fisheries may undergo a reorganization now that the eDNA lab is operable
- Tim Bodine replaced Charlie Blair
- Kevin Foerster is leaving, Tim Yager will be acting in his position, Mary Stefanski in Tim's position, Curt McMurl in Mary's position
- Tony Sullins took a position in the regional office
- Pete Fasbender is now the supervisor for Twin Cities and Green Bay offices
 - Pete will stay in Green Bay until June and then relocate to the Twin Cities

- Efforts have been put toward the habitat management plans for the past several months
- Additional 5.2% reduction in FY14 funds, 50% reduction of non salaried folks

Agency Activities- IWLA (Olivia Dorothy)

- There has been a national focus on WRDA
 - Hope to act on the WRDA Bill by the end of this calendar year

Agency Activities- MNDOT (Dick Lambert)

- Initiated Ports and Waterways study earlier this year
 - Purpose is to show what commercial navigation means to the state of Minnesota
 - Has gone out for public review-let Dick know if you want a copy-comments due 24 December 2013

Agency Activities- WDNR (Jim Fischer)

- Cutting 32 positions throughout the WDNR, four positions will be out of water quality
 - Don't anticipate an impact to Mississippi River efforts
- John Sullivan is working two days per week now, retirement is anticipated in the near future
- Wisconsin is hosting the UMRCC in La Crosse 18-20 March 2014
- Working with UMRBA on water quality monitoring- attempting to come up with a uniform approach
- Sara Strassman has been involved with the statewide sediment management team

Agency Activities- Lake Pepin Legacy Alliance (Rylee Main)

- Received a grant to encourage BMPs pertaining to erosion control on the MN River
- Possible island building at head of Lake Pepin

Agency Activities- Railroad Administration (Tom Julik)

- Chad Broski took a position in Chicago
- Mike Kilbacki replaced by Dala Johnson

Agency Activities- MPCA (Chandi McCracken)

- Chandi is responsible for wastewater compliance and enforcement
- RRF attendance in the future will be balanced between Chandi and Emily

Agency Activities- IDNR (Mike Griffin)

- No personnel changes to report
- A tow collided with Rock Gorge in pool 14 and lost an estimated 800 gallons of diesel, approximately 100,000 gallons of diesel were on board

Agency Activities-EPA (Larry Shepard)

- Severe travel restrictions
- Down one FTE within NEPA and down two FTEs within 404
- Larry remains to be the contact for Upper Mississippi River EIS's and EA's
- New Madrid EIS received EU2 rating, which is the lowest possible rating for a project

Agency Activities- UMWA (Greg Genz)

- Great year for channel maintenance in MVP
- Traffic down (less southbound)
- The Panama canal expansion is due to be completed in 2015 and it is expected to boost exports
- MN River: Industry is fed-up with the management of the Cargill East River placement site
 - ~ \$650K has been spent, only three years capacity is left within the site
 - Looking into possibility of removing management of the site from the LMRWD

Dredging Notification Process (Dan Cottrell)

- How process has been
 - Utilize pre dredge surveys for dredge notices
 - Pre dredge surveys are done no more than 7 calendar days in advance
 - ~1 day is needed to collect data
 - ~2 hours are needed to process data
 - ~2 hours are needed to layout dredge cut(s)
 - Best case scenario is to have data in proper format five days in advance of dredging
 - Typically, we're able to provide a dredge notice 2-3 days prior to dredging
- Alternative process
 - Utilize a condition survey, which would decrease accuracy but increase review time
 - Factors such as: placement issues, tow groundings, water surface, could cause changes within the dredge notice
- Dan Dieterman asked if there is a timeline for which we have to test sediment
 - Steve Clark responded that the guidelines are somewhat gray
 - Dan Dieterman would like to see more information for areas rarely dredged (20 + years)
 - Steve Clark responded that the Environmental Compliance Review isn't a public document, it is essentially an internal MOU once NEPA compliance has been met
 - Steve Clark also commented that it may be most beneficial to focus sampling on infrequently dredged areas
 - WDNR stated that they are not as concerned with areas frequently dredged
- Bruce Boldon commented that we haven't had the money in the past to fully fund the dredging program, thus just in time dredging has been the practice

Channel Maintenance Program Activities (Channels & Harbors)

- 2013 Dredging Summary
 - 1,075,164 CY, 41 jobs, 68% government and 32% contract, 5 June to 4 November
 - Dredged the Chippewa Delta again, which increased overall dredging quantity and percent of dredging completed with government plant
 - Placement sites-24 used (11 permanent, 13 transfer)
- Channel Activities
 - Pool 6: dredged 250 feet wide and 11 feet deep, site capacity was an issue
 - Grounding at Homer, 89.75 hour closure
 - Intermediate Pool: environmental coordination is ongoing
 - Pool 2: Robinson Rocks-pilot complaints were received, determined the problem was more related to light visibility and buoy location rather than a channel issue
 - Upper Pool 4: There were some complaints near Red Wing, ECR for Trenton is ongoing
 - Pool 5A: Betsy Slough wing dam review is ongoing
 - Pool 3: Greg Genz commented that we never had to dredge the Lower Approach to Lock and Dam 2 prior to the dam being constructed in 1987
 - Suggested that we analyze the hydraulics behind that, what may be causing shoaling?
- Placement Site Activities
 - Wabasha Gravel Pit- Reservoir Silicates still looking into road through the site and they recently inquired about purchasing property from the Corps
 - West Newton-MNDNR awarded contract for boat ramp modification
 - Grand Encampment- was the first “make it go away” contract
 - Contract was advertised July and awarded November 22
 - Black River Construction won award, \$7.299 million/500K CY
 - Contractor plans to offload at Alma Marina and haul via truck to final destination
 - Agencies will be invited to pre-con meeting
 - Contractor has until 30 November 2015 to complete excavation
 - There is a tree removal contract to re-establish the historic berm perimeter
 - Pool 6 DMMP
 - Held OSIT meeting with partners on 1 November
 - Looking into finding a site in which the COE has more flexible dredged material placement options
 - Preferred site is adjacent to Marine Art museum
 - Discussed potential mitigation by enhancing Mosquito Island
 - Need an option to place material by spring 2014
 - Pool 10 Essman island
 - Looked into placing dredged material on Essman Island
 - Real Estate agreement was obtained through the Essman Island Association
 - Essman Island Association later rescinded agreement due to pressure from landowners

- Completed site shaping with M&R
- Ran into problems with floodplain analysis and no-rise certification
 - Ultimately obtained approval to place material as FEMA didn't include COE floodplain analysis in initial mapping
- Pool 10 McMillan Island
 - Potential for partial offload in FY14
 - Funding likely not available for full offload
- Pool 2 CMS
 - Due to recent project modifications the BCR has decreased from 1:1.5 to 1:1.05
 - Draft report was sent to MDNR, MPCA, FWS, and Dakota County in response to their comments
 - Plan to meet with partners the first week of January
 - Draft report/EA will be provided to the public at the next public meeting: 14 January 2014
 - Plan to provide final report/EA/FONSI & obtain RRF endorsement by 14 March 2014
 - Plan to complete P&S, advertise contract by 14 May 2014
 - Plan to award multi-stage contract (~\$16 million) by 14 August 2014
 - Construction is anticipated throughout FY14-16

Lansing Island: Forest Restoration and Recreational Enhancement (Rich King)

- Utilizing thoughts and processes from the UMR Systemic Forest Stewardship Plan, Environmental Pool Plan, and Comprehensive Conservation Plan
- Follows model of UMR Systemic Forest Stewardship Plan
- Held OSIT in November to discuss project
- Looking at elevation of ridges relative to normal pool level
- Plans to develop a restoration plan, including quantity of material needed
 - Plan will be based off lessons learned in Pool 5 and Pool 10
 - Anticipate distributing plan this winter, implementation will be based on permitting process
 - Randy stated the COE may be able to execute Environmental Stewardship funding for similar efforts on McMillan Island
- Friends of Pool 9 will likely assist in running equipment and relocating material
- Lansing Island placement site will be the source of material for the project
- Agency Opinions:
 - MDNR: open to the effort and it's consistency with the UMR Systemic Forest Stewardship Plan
 - WDNR: interested more in forest management, less certain of beach nourishment through open water placement
 - IDNR: on board with the effort and willing to assist in the permitting process as needed

Navigation Work Group (Dan Cottrell/Dick Lambert) Handout

- Analyzing navigation impacts due to Hastings bridge construction
- Due outs discussed:
 - NWG to provide recommendation on Waterway Action Plan to RRF
 - NWG to look into loosening restrictions on utilizing material for bridge projects

Day Two (4 December 2013)

Recap (Steve Tapp/Jim Fischer)

- Discussed increasing communication in regards to environmental review of infrequent dredge cuts

Regulatory Review-Fish Cleaning Station (Dan Cottrell)

- Guttenberg, IA fish cleaning station at end of dock, fish entrails discharged directly into the river
- How can we improve the process for regulatory reviews to ensure that the right people are aware of situations?
 - Jim Fischer commented that if it's possible to get more lead time in order to respond, it would help a lot
- Dan Cottrell agreed to contact the Rock Island Regulatory Office to gain an understanding of their process and look into means of improvement
 - Dan also agreed to forward WDNR and FWS refuge contacts for the review process as the recommendation was made to add partners to the regulatory distribution lists
- Mike Griffin agreed to send Attorney General's letter to Zach Kimmel to distribute to the RRF

WLMTF (Tim Yager) Refer to handout

- Symposium on 19 February 2014 in La Crosse
- Three studies in Pool 3 have been funded by The Nature Conservancy
- Public meetings: Red Wing and Prescott were determined to be adequate locations for public meetings
 - Meetings were postponed from April to September, WLMTF will meet soon to set dates
- Preliminary draft of PAR to be distributed 13 December 2013
- Steve Clark commented that it's tough to justify additional dollars spent on dredging for a 25% chance of success
- Looking into combination of HREP project with a drawdown component
 - Pool 3 drawdown is difficult due to the limited number of gates (3 at Lock and Dam 3)

Agency Update on Asian Carp (All)

- WDNR (Jim Fischer)
 - Four Asian carp reported this year by commercial fishermen
 - Ron Benjamin now chair of MICRA, which provides a good opportunity to bring up concerns at a national level

- Wisconsin has developed draft guidance for staff tied to fish passage structures at dams
- National Fish Passage conference coming to Madison in 2014 per Sara Strassman
- Fish and Wildlife Service (Tim Yager)
 - Initiated planning effort to develop draft management plan for Asian carp on UMR
 - EDNA lab is fully operational and has capacity to do additional testing if partners want/need testing
 - 6/12 tagged fish in Pool 17 moved downstream, zero upstream
 - 5/10 tagged fish in Pool 19 stayed at release site, 5/10 couldn't be located
- IDNR (Mike Griffin)
 - Commented on whether or not reproduction has been seen in other states. Griff stated that his personal observations lead to likelihood of reproduction, though IA fisheries hasn't confirmed that yet
- MDNR (Nick Frohnauer)
 - Nine confirmed Asian carp captured in MN
 - Silver carp carcass at LD5
 - Captured Grass Carp in pool 2-furthest upstream a Grass Carp has been caught in a Minnesota river
 - Working group is compiling an Asian Carp action plan for Minnesota, next meeting 11 December 2013
 - Coon Rapids dam barrier started in 2013 (1/2 done), the remainder will be completed in 2014
 - Still looking into a barrier at LD1; this is currently on hold pending WRDA
 - If USAF lock is shut down, there won't be a contract for a barrier at LD1
- COE (Russ Snyder)
 - State of Minnesota has agreed to fund COE efforts tied to Asian Carp
 - WRDA provisions direct COE to close USAF within one year if signed
 - The bill doesn't de-commission, it states that the COE will stop operating the lock
 - Tonnage requirements designed for closure
 - 95% design for LD1 will be up for COE review this month
 - Working on evaluating a barrier at LD1
 - COE will meet mid-month with the Stop Carp Coalition
 - Greg Genz mentioned that there has been discussion of how Carp could be prevented from getting into the St. Croix and Minnesota River by closing different locks
 - USAF and LD1 don't have gates, all other locks are gated structures so wouldn't be effective carp barriers if they were shut down
 - Working with the Minnesota Research Center to evaluate and model the velocity of current through gates and the ability of Carp to pass
- EPA (Larry Shepard)
 - Will coordinate with coworkers and provide input to RRF
- IWLA (Olivia Dorothy)
 - Efforts going toward the support of certain language proposed in WRDA

- Both WRDA bills have identified the FWS as lead agency on Asian carp issues
- UMWA (Greg Genz)
 - Industry is unhappy with the potential for lock closure
 - Need to have a better definition of what is being referenced when we state “Asian Carp”
 - UMWA believes the statement “closing USAF will save thousands of miles of the Mississippi River” made by Stop Carp Coalition is completely untrue
 - Report stating \$11-\$13 billion in lost tourism if Carp arrive is not true
 - Stated that there is false information circling, Grass Carp have been around for decades
 - MDNR commented that the barrier risk assessment report will be out soon and it reveals the risk of Carp moving into areas based on swimming access
- MNDOT (Dick Lambert)
 - Concerned with additional freight traffic on roadways as a result of lock closure
 - This increase would be due to a combined lock closure and increasing population
- Audubon (Tim Schlagenhaft)
 - No updates

EMP (Tom Novak)

- Pool 10 and Weaver Bottoms both have a great potential to utilize COE dredged material
- FY13 Recap
 - P8 tree plantings in May
 - Capoli Islands construction
 - Harpers Slough preliminary draft DPR
- FY14
 - Construction
 - Complete Capoli June, project dedication August
 - Tree planting at Capoli next spring and looking for volunteers
 - Award Harpers Stage 1 June
 - Planning
 - Harpers DPR approval
 - North Sturgeon: hope to combine effort with minor Pool 3 drawdown
- Budget
 - FY13: \$ 24.18 million, MVP allocation \$5.99 million
 - FY14: \$31.96 million (Senate), \$30.37 million (House)
 - MVP allocation \$7.13 million

FWWG (Elliott Stefanik)

- FWWG hasn't held a meeting since previous RRF
- Still need to complete task item of determining the capabilities of various dredging equipment for environmental work
- FWWG plans to meet this winter

- Dan Dieterman feels workgroup should identify a lot of small scale projects with quick turnaround as well as what the options are to roll them into larger scale reach plans
 - Also commented that it would be good to compile a list prior to next RRF and identify environmental review needed
- Due-outs discussed:
 - Review Environmental Pool Plans
 - Look into the feasibility of a programmatic EA for the District
 - Discuss limitations at the State level that may be prevalent
 - Discuss NGO participation at the FWWG level, enable NGO's to brainstorm different ideas and bring their resources to the table

Programmatic EA (All)

- Steve Clark commented that the COE would complete the EA and stated that he doesn't believe the EA would be the problem, rather limitations at the state level (FWWG due out)
- Recommendation to invite regulators for additional input/perspective at future FWWG meetings
- FWWG was asked to identify agency restrictions or show stoppers to the EA
- Larry Shepard can address NEPA specific input and offered to help with this EA approach
 - Stated that the devil is often in the details of what a programmatic EA does/doesn't cover
- COE agreed to develop a report pertaining to what it would take to complete small scale projects within O&M

Workgroup Roles/Responsibilities (All)

- Steve Tapp provided a CMMP handout detailing the workgroups defined roles
- Jim Fischer stated the need clarify the "decision making tree"
 - What should be decided at the RRF level, what at the workgroup level?
- Put together a mission statement or charter at each workgroup level including problem resolution
 - Discussed potential of having RRF define conflict resolution procedures for each of the work groups

Recreation Work Group (Tim Yager)

- Haven't met as a complete work group in awhile, most efforts tied to P7/P8 beach plans
- P7/P8 beach planning open house will be held tomorrow at FWS visitor center in Onalaska, WI

Steve Tapp

Co-Chairman, RRF