

Illinois River Coordinating Council Quarterly Meeting Governor Pat Quinn

Monday, March 2, 2009
James R. Thompson Center, Room 2-025
Chicago, Illinois
1:30 PM

MINUTES

Call to Order and Roll Call

Simone McNeil, Office of Governor Pat Quinn, called the meeting to order at 1:45 PM, and welcomed members and guests.

Citizen Members

Nancy Erickson, Illinois Farm Bureau; Daphne Mitchell; John Quail, Friends of the Chicago River; and Richard Worthen.

State Agency Members

Director Marc Miller, Illinois Department of Natural Resources; Charles Perino, Illinois Department of Transportation; Sanjay Sofat, Illinois Environmental Protection Agency; Jared Thornley, Illinois Department of Agriculture; Terry Weldin-Frish, Illinois Department of Commerce and Economic Opportunity.

Ex-Officio Members

William Gradle, U.S. Department of Agriculture, Natural Resources Conservation Service; Lt. Erick Johnson, U.S. Coast Guard; Don King, U.S. Department of Agriculture, Farm Service Agency; Bill Kruidenier, University of Illinois, College of Agriculture Consumer and Environmental Sciences; Colonel Thomas O'Hara, U.S. Army Corps of Engineers, St. Louis District; Colonel Vincent Quarles, U.S. Army Corps of Engineers, Chicago District; John Rogner, U.S. Fish and Wildlife Service; Colonel Robert Sinkler, U.S. Army Corps of Engineers, Rock Island District; Christine Urban, U.S. Environmental Protection Agency; Doug Yeskis, U.S. Geological Survey;.

Approval of Minutes

Mitchell moved to approve minutes from November 6, 2008 meeting in Midewin. Worthen seconded. Minutes approved with no corrections unanimously.

Member Comment Period

Sofat commented on the development of phosphorus water quality standards. In the summer of 2008 Illinois Environmental Protection Agency (IEPA) sent research data to the U.S. Environmental Protection Agency (USEPA). The research showed that there is no cause and effect between phosphorus levels and degraded aquatic life and no standard can be developed. IEPA will meet with USEPA and their consultant to discuss methods used by consultant and other conclusions.

Gradle commented that part of the president's stimulus package will allocate \$145 million to the Natural Resource Conservation Service (NRCS) for floodplain easements nationwide. Fifty people are interested in Illinois. There will also be additional appropriations in the Omnibus bill.

Weldin-Frish commented that last year 25 counties received disaster declarations due to flooding. Former Governor Blagojevich established a Long-Term Recovery Council (LTRC) to explore issues related to long-term community recovery and mitigation of future flood events. The Economic Development Administration (EDA) invited the State to apply for federal grant money to assist the LTRC. The former governor's office designated the Department of Commerce and Economic Opportunity (DCEO) to work with EDA to utilize the federal funding. To date, DCEO has held three of four initial regional focus groups. The final regional focus group meeting is scheduled for March 10th in Rock Island. A final report will be given to Governor Quinn in late summer or early fall with recommendations addressing three critical issues: unmet needs left over by existing disaster assistance programs, projects/funding needed to promote full economic recovery, and appropriate legislative and policy changes to mitigate the impact of future disasters. The report will also review regional planning commissions strategic plans in all federally declared regions; develop a comprehensive and detailed overview of the flood disaster; develop a detailed description of federal recovery assistance provided to individuals, businesses and units of government; develop a comprehensive economic impact analysis of the flood; develop comprehensive information on the Regional Focus Group meetings; and develop long-term recovery goals integrated with long-term economic development strategies in the affected regions.

Mitchell commented on flooding in Ottawa on the Fox and Illinois Rivers. Ottawa has received money from FEMA and is ready to dredge the rivers to reduce flooding. The historic aqueduct on the Fox River, owned by the Department of Natural Resources (DNR), is in danger because of piled up debris. The city has been unable to move forward with dredging because DNR needs to remove the debris.

Olivia Dorothy, Office of Governor Pat Quinn, commented that It's Our River Day planning has begun. This year it will be held on September 19th. There are two corporate sponsors, AT&T Pioneers and Illinois American Water. The website is up; everyone is invited to review it. Contact Dorothy with questions.

Reuter commented that on March 12 there is a symposium on the Emiquon restoration, seating is limited.

Welcome and Statement – Marc Miller, Director, Illinois Department of Natural Resources

At the last meeting, IRCC agreed to create an Illinois River Team and Working Group. At the federal level, the River Advisory Panel and some of the things involved with NESP have not come together. The Task Force has been meeting with the U.S. Army Corps of Engineers (USACE) to develop the Navigation and Ecosystem Sustainability Program (NESP) institutional arrangements and will move forward this month with a revised proposal that fits within the new NESP framework. The IRCC will be able to review this at the next meeting in April. Some of the functions of the Team and Working Group must be revised since the Lt. Governor's office is vacant. The USACE is developing objectives for Illinois River Reach as part of the Working Group and is developing criteria and a process for project selection. If there are others who would like to participate in the Task Force, contact Olivia Dorothy or Debbie Bruce of IDNR.

There are a number of challenges facing DNR. The Governor has signed S.B. 1132, which directed federal Fish and Wildlife funds back to DNR. Those sweeps would have lost \$16 million this year. Also, last week the Governor opened the parks and DNR is working to staff them.

WRDA Law and its NESP Program for New Locks and Dams – Steve Jaeger, Heart of Illinois Regional Port District

Cargo activity on the Illinois Waterway is growing more quickly than business on the Upper Mississippi River, owing to its year-round operating profile and its status as a direct link between the Great Lakes and the Gulf of Mexico. Almost 33 million tons of cargo transited the Illinois in 2007, with 13 million tons of that originating in or destined for the six county jurisdiction of the Heart of Illinois Regional Port District. About 70% of it is southbound grains and related agricultural products for export through the Gulf.

The USACE predicts 20-25% growth of business on the Illinois Waterway by 2025. The current expansion of the Panama Canal, slated for 2014 completion, will spike business levels, bringing larger ships into

Gulf ports and more diverse commodities onto the Illinois River. But aging locks and dams on the Illinois River present an impediment to navigation and economic growth. The LaGrange Lock & Dam near Beardstown is in poorest condition, followed by the lock at Peoria. Mechanical downtime is up at both, some parts and components are unavailable, and emergency repairs are increasingly required. More to the point, existing locks are obsolete from a capacity standpoint: 15-barge lash-ups have to be split apart to pass through our existing (600 foot) lock chambers.

The Water Resources Development Act (WRDA) furnishes the groundwork for lock & dam replacement. \$2.21 billion would be available for navigation projects. But WRDA funds have not been appropriated. This year's omnibus bill will likely furnish USACE with \$8.7 million for planning and design. Lock and dam replacement is too long-term to qualify for stimulus funds. Under a generous funding scenario, replacement of LaGrange Lock & Dam could be finished with \$1.2 billion and completed 2017-2023, and Peoria Lock & Dam needs \$1.6 billion and can be completed 2022-2032.

NESP implications for economic development in regions along waterways are significant. Port authorities were created by the Illinois legislature to attract new jobs through transportation. Economic development will include planned transloading facilities for coal (rail-to-barge) and distribution of renewable fuels in tank barges. USACE and the waterways industry needs to establish enduring partnerships, use appropriated funding efficiently, minimize disruption to navigation, and maximize the economic and societal benefits. This will require a coalition of agriculture, labor, business, environmental interest groups, government, navigation industry, and citizen stakeholders.

Illinois needs a stable and enduring source of funding for port authorities. The port authority of Quincy has closed, and the Heartland Port Authority subsists entirely on Caterpillar funding and bonds.

Asian Carp Barrier Update – Colonel Vincent Quarles, U.S. Army Corps of Engineers, Chicago District

The Dispersal Barrier System consists of a demonstration barrier (Barrier I) and a larger, more permanent barrier (Barrier II) with two halves (IIA & IIB). Barrier I is currently in continuous operation at one volt per inch and has been operating since 2002. This year USACE has completely replaced the old cables in Barrier I. While those repairs were taking place, Barrier IIA was operating at the same capacity. USACE has met the U.S. Coast Guard's (USCG) safety concerns through additional signage and other measures. When Barrier IIA was active, sparking was noticed, so matting was added to reduce the electrical field. In December, the USCG approved the safety of the barrier. However, during final checks some cooling pipe corrosion was noticed. Barrier IIA is undergoing those final repairs and should be active no later than April 2009. This summer, USACE will determine optimum voltage with the USCG for safe operation that bars fish passage.

The contract will be awarded this summer to build its control house. The design is being finalized and it will be unique from Barriers I and IIA as lessons are incorporated from the previous two barriers. USACE is also working on developing and implementing an enhanced Asian carp monitoring program.

Asian Carp Barrier Research Status – Rip Sparks, National Great Rivers Research and Education Center

This investigation uses common carp (*Cyprinus carpio*) as surrogates for the harmful carps, which have not reached the barriers yet. To determine the effectiveness of the barriers, 130 carp were fitted with transmitters and put out downstream of the barrier. One of the transmitters passed upstream through Barrier 1 in April 2003. No movement upstream was recorded since electrical strength was increased. In the fall of 2008, 15 carp were placed between two operating barriers. In September and October 2008, three transmitters traversed Barrier 2 in the downstream direction, one before a severe rain storm on September 13th and at least two after the storm. The runoff from the storm increased water flow velocities in the canal to 5 ft/sec, which exceeds the sustained swimming speed of common carp. The fish were pushed downstream through barriers because of the extreme weather. This concluded that the barriers were effective against adult fish going upstream but not in the downstream direction.

Additionally, the September storm caused the Des Plaines River to overflow into the Sanitary and Ship Canal, demonstrating that the Des Plaines provides a potential by-pass around the electric barriers, this must be addressed. By-passes during storms may also occur from the old Illinois and Michigan Canal. Additional assessments need to be done with smaller fish, because small fish are less sensitive to the electric fields than the adult fish used in this study.

As a cautionary note common carp are not perfect surrogates for silver and bighead carps. Common carp do not jump as frequently or as far as silver carp when they encounter an electric field, so common carp are unlikely to skip through an electric field in a series of jumps whereas silver carps might. Barrier 2 was designed to be much broader than Barrier 1, to decrease the risk of skipping.

Illinois River Working Group Update – Marshall Plumely, U.S. Army Corps of Engineers, Rock Island District

The Illinois River Working Group has not been established. However, USACE supports Illinois in the formation of an Illinois River Watershed Working Group that operates within the framework of existing State and Federal authorities, and legal agreements.

In an effort to move forward with planning efforts on the Illinois River related to the NESP; USACE held a meeting in Peoria, IL on January 28th, 2009. This is in accordance with the process outlined on the read ahead document entitled Illinois River Reach Planning Activities for 2009. Technical representatives from the following organization participated: USACE Rock Island and St. Louis Districts, DNR, Illinois Natural History Survey, Illinois State Water Survey, Illinois Sustainable Technology Center, US Fish & Wildlife, US Geological Survey, and The Nature Conservancy.

The purpose of the meeting was to correlate the ecosystem goals and objectives established for the Illinois River Basin Restoration Comprehensive Plan (2007) with the Upper Mississippi River System objectives established for the NESP program. These objectives will be used as the starting point for developing a project identification and selection process that a larger group will develop later this year.

A draft report will be forthcoming in April for review. Further development of a project identification and selection process will require the involvement of the State of Illinois. The group from the January meeting can continue to function informally as a technical component of an Illinois River Working Group while further details are worked out by the State of Illinois.

Col Sinkler commented that since 1985 USACE has been prioritizing projects under the Environmental Management Program (EMP). Since 2000, USACE has been prioritizing projects under the WRDA section 519 and the Illinois River Basin Restoration Effort. USACE will continue with the EMP method and 519 as Congress continues to fund them.

Chicago Metropolitan Water Reclamation District Disinfection Hearing Status – John Quail, Director of Watershed Planning, Friends of the Chicago River

The standards proposed by the IEPA include the implementation of disinfection technologies at three Metropolitan Water Reclamation District treatment plants and revised temperature standards to protect local fish populations in the Chicago River. This process started in 2002 at the behest of environmental groups because the water quality standards did not fit the uses of the river. Friends of the Chicago River has partnered with the Environmental Law and Policy Center, the Natural Resources Defense Council, the Sierra Club, Openlands, and Prairie Rivers Network to support the proposed standards. Hearings are scheduled this week (March 3 & 4) in Chicago and dates for hearings from April through June will be available on the Illinois Pollution Control Board website in the next few weeks. Please visit the Friends' website at http://www.chicagoriver.org/projects/clean_water_and_healthy_fish/ to learn more.

New USDA Interim Rules for Farm Bill Conservation Programs – William Gradle, Natural Resource Conservation Service

The language and specific rules for the 2008 Farm Bill have been released and are open for public comment. The new NRCS conservation programs increases funding authorization for conservation programs by \$42 billion, increases focus on agricultural and forestry working lands, recognizes agricultural production and conservation as compatible sites, grants new authorities, modifies adjustable gross income (AGI) limits, adds/modifies conservation program limits, and expands outreach opportunities.

The Conservation Security Program has been renamed the Conservation Stewardship Program (CSP) and it will be delivered nationwide, instead of only one watershed per state. Up to 10% of the acres nationally can include nonindustrial, private forestland. Lands in the CSP will only be in 5 year programs; previously lands had 5 or 10 year programs. Rules for this new program should be out in 60 days.

The Environmental Qualities Incentive Program (EQIP) has a new component this year, the Agriculture Water Enhancement Program (AWEP). The Request for Proposals for the AWEP is extended to April 1. The EQIP program also extends out to organic production and specialty crops. The Wildlife Habitat Incentives Program has some changes, non-agriculture lands and government lands that were eligible in the previous farm bill are no longer eligible. The Wetlands Reserve Program is changing in that land must be under the owner for 7 years; previously only 1 year ownership was required. There are also more opportunities for socially disadvantaged farmers. All programs in the conservation portfolio are open for review. Most comments are open until March 17, 2009. Visit <http://www.nrcs.usda.gov/programs/Farmbill/2008/index.html>.

Other Business

Next Meeting is April 21, 1:00 PM at the IDNR Building in Springfield, IL.

Public Comment Period

Kristian Gustavson, Below the Surface, announced the 90-day plan to reduce non-point source pollution. It gives an outline on how children can reduce pollution through educational activities. The information will be linked from Governor's It's Our River Day website. Other agencies can help promote the plan. The program will be posted by Earth Day.

Bob Frazee, University of Illinois Extension, announced the 2009 Governors Conference on the Management of the Illinois River System on Oct. 20-22, 2009.

Michael Fischer, Calumet Watersheds Action Coalition, announced an opportunity for DNR to receive land in the Calumet region. The Calumet Open Space Reserve Plan it identified a number of open space opportunities in the Calumet region. Among them are Wolf Lake connector lands and 134th St. wetlands. They were previously private lands but are now available for acquisition. A developer promised to give land identified in the Calumet Open Space Reserve Plan to the state; however no action has been taken. There is 22.86 acres adjacent to Wolf Lake and more at Powderhorn Lake.

Fischer announced a free fishing day at Powderhorn Lake for the No Child Left Inside initiative, June 5- 8.

Mike Warner, Lake County Stormwater Management Commission, commented that HB 2434, the Green Infrastructure for Clean Water Act will allow IEPA to review rules for the State Water Revolving Funds. IEPA will be able to issue water revolving fund monies for non-point source pollution projects directly, as opposed to only funding drinking water or wastewater projects.

Patti Warner, Upper Des Plaines Ecosystem Partnership, announced that they are looking for public or private investor with coordination funding for the existing partnerships.

Terry Kohlbus, Tri-County Regional Planning Commission, asked the council to think about an appointment to the Mississippi River Commission and making a recommendation to Obama.

Adjournment

Miller motioned to adjourn. Worthen seconded. Meeting adjourned at 3:26 PM.