

**Statement  
on the  
Upper Mississippi River Basin Protection Act (H.R. 3480)  
to the  
Subcommittee on Water and Power  
Committee on Resources  
U.S. House of Representatives**

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Good morning. Thank you, Chairman Calvert and Members of the Subcommittee, for this opportunity to appear before you. My name is Holly Stoerker and I am Executive Director of the Upper Mississippi River Basin Association (UMRBA). The Governors of Illinois, Iowa, Minnesota, Missouri and Wisconsin formed the UMRBA in 1981 to coordinate the state agencies' river-related programs and policies and to work with federal agencies on regional issues. On behalf of our member states, I am quite pleased to offer the following comments regarding the Upper Mississippi River Basin Protection Act (H.R. 3480).

### **Overview**

The Upper Mississippi River Basin Association (UMRBA) is a strong supporter of efforts to reduce sediment and nutrients in the basin. As such, the UMRBA enthusiastically supports the Upper Mississippi River Basin Protection Act (H.R. 3480).

The UMRBA applauds the leadership of Representative Ron Kind and the Upper Mississippi River Congressional Task Force in addressing water resource needs in the basin and their commitment to providing sound scientific data upon which to make water resource management decisions. The UMRBA has worked closely with the sponsors of H.R. 3480 on previous versions of the legislation including H.R. 4013 in the 106th Congress and H.R. 1800 in the 107th Congress. While H.R. 3480 is narrower in scope than its predecessors, it is significantly improved. In large part, these improvements are the result of Representative Ron Kind's willingness to work closely with state and federal water management agencies, as well as stakeholders in the basin.

### **The Importance of Monitoring and Modeling**

Both sediment and nutrients have a profound affect on the quality of lakes, rivers, and streams throughout the Upper Mississippi River Basin. Sediment fills in valuable wetlands and streams throughout the basin, as well as the unique backwater habitats and navigation channel of the Mississippi River. Excess nutrients degrade water quality, impairing rivers and streams and threatening ground water supplies. In addition,

excess nutrients from the Mississippi River Basin have been linked to oxygen depletion in the Gulf of Mexico, resulting in what is known as Gulf hypoxia. Meeting these challenges will require significantly enhancing our understanding of sediment and nutrient sources, mobilization, and transport. The monitoring and modeling program authorized in H.R. 3480 is not a scientific luxury; it is a management imperative. The data and information that results from these efforts will help guide federal, state, and local programs designed to solve the very real problems of water quality and habitat degradation. Targeting our efforts to restore wetlands, reduce nonpoint pollution, and help agricultural producers apply best management practices, depends on good scientific data.

The need for enhanced sediment and nutrient monitoring in the Upper Mississippi River Basin is widely recognized. In the January 2001 "Action Plan for Reducing, Mitigating, and Controlling Hypoxia in the Northern Gulf of Mexico," state and federal agencies participating in the Mississippi River/Gulf of Mexico Watershed Nutrient Task Force called for "increasing the scale and frequency of monitoring of both the extent of the hypoxic zone and the sources of nutrients and conditions of waters throughout the basin." In an October 23, 2001 letter to Bush Administration officials, six Governors of Mississippi River Basin states urged that federal programs to reduce nutrient inputs be enhanced. In this regard, the Governors state that a "monitoring effort conducted jointly by the U.S. Geological Survey and the states is required within the basin to determine the water quality effects of the actions taken and to measure the success of efforts on a sub-basin and project level." H.R. 3480 reflects just the type of increased monitoring effort that has been proposed by both the Task Force and the Governors.

### **Specific Comments on H.R. 3480**

- *Sediment and Nutrient Monitoring Differences---* The monitoring network and modeling efforts described in H.R. 3480 are designed to address both sediment and nutrients. However, the sources, transport, delivery, and impacts of sediment and nutrients are not identical and will require different monitoring and modeling approaches. Moreover, there are natural baseline levels of sediment and nutrients that would occur without human activity. For many waterbodies in the basin, acceptable levels of sediment and nutrient impairment have not been identified. While it may not be necessary for the legislation to explicitly acknowledge or accommodate these considerations, they will be critical in the design of the monitoring network and in development of the models. In part, this is why Section 104 of the bill is a key provision. Section 104 requires that USGS collaborate with other federal agencies, states, tribes, local units of government, and private interests in establishing the monitoring network. Such collaboration should help ensure that the design of the monitoring network yields data that is relevant to both sediment and nutrient management issues.
- *Relationship to Mississippi River/Gulf of Mexico Watershed Nutrient Task Force---* The Mississippi River/Gulf of Mexico Watershed Nutrient Task Force is the joint federal/state body that developed the Hypoxia Action Plan published in January 2001. At its most recent meeting on February 8, 2002, the Task Force's Coordination Committee agreed to work with USGS to establish a "framework" for nutrient monitoring in the Mississippi River watershed and Gulf of Mexico. That framework is to be presented to the Task Force at its next meeting in August 2002. It is our expectation that the monitoring network authorized in H.R. 3480 be designed and implemented consistent with the framework already under development by the Task Force.
- *Cost-Sharing---* The states are pleased that the cost-sharing requirements in Section 105 provide that up to 80 percent of the nonfederal share may be provided through in-kind contributions and that existing

state and local monitoring efforts may be applied to the nonfederal share. Given the geographic scope of the basin and the complex array of potential nonfederal partners, aggregating contributions to ensure compliance with the bill's cost sharing requirements would seem to pose significant challenges. Nevertheless, it is significant that H.R. 3480 recognizes the value of state and local monitoring.

- *Additional New Funding*---Section 301 of H.R. 3480 authorizes annual appropriations of \$6.25 million for this new monitoring and modeling effort. It will be imperative that this funding represent additional new resources rather than a redirection of existing resources. H.R. 3480 emphasizes integration of existing monitoring efforts and use of existing data, a strategy that will certainly help to leverage scarce resources. However, integration of existing efforts is not a substitute for a real increase in the level of effort. And most importantly, this increased effort must not come at the expense of other important USGS programs such as the National Water Quality Assessment Program (NAWQA) or the National Streamflow Information Program (NSIP). In particular, streamgaging supported by NSIP provides flow data that will be critical to successfully monitoring and modeling sediment and nutrient loads. We cannot afford to lose any of that streamflow data, and in fact will likely need to increase flow monitoring. It is particularly troubling that, in fact, the President's FY 03 budget proposes deep cuts to existing monitoring efforts in the basin, including current USGS water programs, as well as the Corps of Engineers' Upper Mississippi River Environmental Management Program. Such cuts will severely limit USGS' ability to undertake the new monitoring responsibilities proposed in H.R. 3480.
- *National Research Council Assessment*---Section 107 of H.R. 3480 directs the National Research Council of the Academy of Sciences to conduct a "comprehensive water resources assessment of the Upper Mississippi River Basin." In the context of this legislation, it is our assumption that such an assessment would be focused on the specific water quality issues associated with sediment and nutrients. As such, it would potentially provide important input to the scoping and implementation of the monitoring and modeling authorized in H.R. 3480.