

## **MOAFS RIVERS AND STREAMS TECHNICAL COMMITTEE MEETING**

Summer/Fall Meeting – 9/16/2008 at Bennett Springs

The meeting was called to order by Chairperson Ange Corson at 10:05 AM.

Attendees included: Paul Blanchard, Mike Bayless, Paul Calvert, Dale Cornelius, Ange Corson, Sherry Fischer, Kenda Flores, Craig Fuller, JoAnne Grady, Jennifer Guyot, Kara Harms, John Hoke, Mary Litvan, Matt Matheney, Donna Menown, Jason Persinger, Tom Priesendorf, Chris Riggert, Laura Ruman, Melissa Scheperle, Karla Sparks, Bob Temper, and Andy Turner

Minutes from the winter meeting were offered up for review by the committee. Sherry Fischer had some edits too the minutes. The edits were accepted. Matt Matheney made a motion to accept minutes from the winter meeting with Sherry's edits. Craig Fuller seconded the motion and the motion passed.

### **Guest Speakers**

*Recreational Use Attainability Analysis.* John Hoke (MDNR)

Under provisions of the Clean Water Act, MDNR has been working to designate recreational uses on Missouri Streams. Prior to 2005 less than a quarter of Missouri's streams had been designated. In 2005 a court ruling forced MDNR to designate uses on all Missouri waters.

Recreational use designations are: Whole Body Contact Recreation (aka swimming, scuba diving, or kayaking) or Secondary Contact Recreation (aka wading, boating, canoeing, or fishing). MDNR used a Recreational Use Attainability Protocol to determine what designation a stream would get. The protocol used a Use Attainability Analysis (UAA) based on the stream depth and the permanent nature of the stream. In addition the protocol also incorporated public comments on existing use. Any documented existing use was automatically categorized as attainable. Based on public input and the collected field data decisions were made on whether to remove designated uses. The rulings on designated uses will be reviewed every 3 years.

### **Questions?**

Sherry Fischer: If citizens missed original opportunity can they contact MDNR and get rules changed?

John H: Rules can change we they come up for review in 2011.

Donna Menown: MDNR is carefully cataloging all comments so that we can correct any rules that need to be changed when 2011 rolls around. It only takes one person to change a rule.

John H: So far the process for getting feedback from the public has worked well. It is critical that we continue to get information out to the public so they can comment.

Chris Riggert: Can clarify why certain uses were removed from streams?

John H: Felt it was important that we only designated actual uses. Wanted to make sure we got it right.

Ange Corson: Has this process resulted in stricter regulations?

John H: Yes. Prior to this work many streams were not designated and therefore not as well protected.

Donna M: It is also important to note that in practical terms there is no difference between Whole Body Contact and Secondary Contact designations. The technology needed to treat the water is the same.

Jennifer Guyot: What about if there are stricter standards downstream of the input?

John H: Right now inputs have to meet standards within 2 miles, but we are taking steps to improve this.

Paul Calvert: What if there is not any current use because of existing bad water quality?

John H: Does not matter as long as the use could exist if the water quality was good. Streams fall under the standard if the use is existing or attainable.

*MODOT Stream Mitigation.* Laura Ruman and Melissa Scheperle (MODOT)

Laura spoke first.

MODOT is required to do stream mitigation by the clean water act. The mitigation is intended to provide compensation for a loss along a stream. Mitigation can take the form of instream enhancement or riparian enhancement. Mitigation is completed by habitat preservation, creation, or restoration. Most projects are combinations of the above.

The mechanisms for doing mitigation work are threefold: Permittee responsible (aka project specific mitigation), Mitigation banks (buy credits from previously completed projects), and In-lieu fee program (Missouri example is the Stream Stewardship Trust Fund). The mitigation program is undergoing significant changes. Emphasis has shifted to larger, consolidated mitigation projects. Preferences have changed so that now mitigation banks and In-lieu fee programs are preferred over onsite mitigation. In the Missouri Stream Mitigation Method you used to have to match work ft for ft, but now you calculate credits based on the value of the project.

MODOT is looking to develop an Umbrella Wetland and Stream Mitigation Banking Instrument. It will control how banks will be approved and operate in Missouri. They will service areas based on MORAPS EDU's.

800 better bridges plan has established a mitigation plan between MODOT and MDC that will focus on nearby streams and COA's. This will meet the increased demand for stream mitigation.

Melissa spoke about example mitigation projects.

The first MODOT mitigation bank was proposed in 2007 on the Little Niangua River. Bank will consist of 3 low water crossing that will be replaced to help Niangua darters. The value of the bank was tough to calculate because of the linear foot calculation in the MO mitigation method that calculates the area influenced by the project. MODOT worked with MDC and the COE to develop and appropriate way to calculate this. Area of influence calculated by taking the elevation at the top of the slab upstream until it matched the bed elevation plus the scour whole length times 2 downstream. Credits will be banked for multiple road projects with these three bridges. Construction is due to begin this month. A fourth bridge is also being done at Bannister Ford as project specific mitigation.

Another bank is being developed on the Maries River in Osage County. This mitigation will be done primarily to address the work taking place in the Route 50 corridor. This will consist of bank stabilization projects. Easements will be purchased by MODOT from the landowners that will give them at least a 25ft corridor from the top of the bank. MODOT will be responsible for any repair and maintenance on the projects. This project involves Representative Loehner. Landowner has to give MODOT 25ft of riparian corridor, but MODOT will take more if they can get it. MODOT will monitor for at least 5 yrs and landowner can double dip with CRP money if they want. Rate MODOT pays to landowner is based on previous use of land. MODOT has some previous experience with streambank stabilization in Northern Missouri that is working well, but they want more experience doing this kind of work.

MODOT is also examining the possibility of doing grade control structures as a way to do mitigation. Comment from JoAnne Grady that Iowa is working a lot with grade controls trying to improve fish passage across them and still have them work. Mary Litvan commented that Iowa had had a lot of problems with that program.

MODOT is doing more and more instream work and is looking for input, locations and help.

#### Questions?

Dale Cornelius: Will MODOT also purchase as easement along entire property or just at project site?

Melissa S: We only get the project site unless landowner wants to give us more.

JoAnne G: What about cattle access?

Melissa S.: Do get credit for fencing and alternate water sources. I want to stress that we really are looking for projects and opportunities.

Mike Bayless: How do you calculate what you pay for easements?

Melissa S: Same way we calculate roadway easements.

Paul C: This is usually higher than what a landowner would get from Stream Stewardship or at least is a better deal.

Paul Blanchard: What are MODOT's responsibilities for maintaining a streambank project?

Melissa S: Has to monitor it and make sure it holds for 5 years, beyond that I am not sure how it will work.

Matt Matheney: As the system changes thru time I would be concerned about having to maintain those projects.

Melissa S: That is definitely a concern.

Paul B: I encourage you to do lots of low water bridges and be careful on the Maries River. The Maries is an ever changing system with lots of impacts.

Lunch break at 11:25 AM

Call to Order after Lunch by Ange Corson at 12:32 PM.

*Fish Passage Barrier Surveys.* JoAnne Grady (FWS)

The problems with low water crossing are that they fragment population, alter sediment transport, modify stream habitat, and may have other unknown cumulative impacts. Recently most of the work on this subject has been addressing crossings affecting Niangua darters although we have started to expand Topeka shiner areas as well.

Working with MDC staff (Doug Novinger, Craig Fuller, Ange Corson and John Fantz we assess all crossings in Niangua darter range for whether or not they acted as fish barriers. We are using the information for starting to develop a Missouri wide inventory of fish passage barriers.

The National Fish Passage Program has started funding things other than construction in recent years. We have used money to fund inventory work in several watersheds. The first year Mark Twain National Forest did a survey of potential barriers inside the forest and Scott Williams (MDC) inventoried Moniteau Creek (a Topeka shiner watershed). This past year FWS did inventories in the Big River Watershed and Meramec River Basin. Starting next year we hope to do the Bourbeuse River Basin.

Still accessing the best way to do these surveys so that we focus our time and search efforts on places that we need to go to and not on places that we don't need to go to. Currently we have looked at over 1500 crossings which are about 10 percent of the state's total. The reason for doing this work is that we can add these barriers to the Fish Passage Decision Support System. Currently only dams are listed in the system and the number of barriers listed in the system controls the funding for projects.

We are still working on what to measure at each bridge. Measurements may vary by watershed based on the stream species of concern. It is possible we will focus on benthic passage in order to get a natural stream bed at each site.

A low head dam inventory is also underway, but is running into trouble because of limitations from the federal registry on the techniques they can use to survey the public.

FWS is committed to continuing to do this type of work. The Niangua darter work is being looked at as a national example. FWS will continue to identify priority areas for doing these surveys in Missouri.

#### Questions?

Chris R: Can MDC use stream teams to get information on low head dams and send it to FWS?

JoAnne G: You can so long as I don't get any information on the source of the data.

Sherry F: MDC can create a database with streamteam volunteers, but can't insure accuracy.

JoAnne G: Would still help as we are just trying to get a starting point. I can't contact the public to get information, but I can take info from MDC as long as I don't know where it came from.

Where else are you planning to do inventories of crossings?

JoAnne G: Hopefully next year we are going to assess the Eleven point, Jacks Fork, and Current River.

#### *Sediment Monitoring in Streams.* Andy Turner (results of his graduate work)

The objectives of my work were to examine the strengths and weaknesses of a new device for sampling unconsolidated sediments and determine connections between fish community structure and sediment.

Currently we lack a good way to test unconsolidated sediments. The device was tested over a wide range of substrate sizes and conditions in order to develop correction factors for its performance. The goal of the sampler development was to create a device that was more efficient than visual estimation, cheap to build, accurate, applicable across a variety of situations. It works well across a wide variety of circumstances except really shallow water.

The second objective was to examine linkages between sediment and the biotic community. According to the EPA sediment is the biggest threat to our streams. Did not look at streams larger than 3<sup>rd</sup> order. All streams were classified based on composition and all sampling took place near road crossings. Soil categories overwhelmed all other aspects affecting the community. Inside soil categories anthropogenic effects had large impacts on sediment totals. Soil types were critical to understanding sediment impacts on fish assemblages. Fish species showed varying responses to sedimentation. Foraging guilds were a likely driver behind this interaction.

#### **Committee Elections:**

Ange Corson called for nominations for a new Chairperson and Secretary of the Rivers and Streams Technical Committee to take over when the her term as Chairperson and

Jason Persinger's term as Secretary comes to an end following the winter 09 meeting at MNRC.

The only nomination the committee received for chairperson was Chris Riggert. The committee voted to elect Chris the next Chairperson of the committee.

The only nomination the committee received for secretary was Mary Litvan. The committee voted to elect Mary the next Secretary of the committee.

### **Old Business:**

#### *MNRC Workshop:*

There will be no workshop at MNRC this coming year. We are working toward doing a workshop again in 2010. The potential topic for that workshop is Instream Flow. Although Ange said that we would still be willing to consider other potential topics.

#### *AFS Stream Fact Sheets:*

Paul C: Currently there are 7 or 8 factsheets posted on the web. Currently they can be reached from the MDC webpage and from the Stream Team webpage ( [mo.streamteam.org](http://mo.streamteam.org) ). Also need to add links from the AFS webpage. The goal is still to have 20 to 30 factsheets posted on the web. Currently the easiest way to access the fact sheets is through the Stream Team webpage.

#### *AFS technical sheets for Legislators*

Matt M: What is the status of the technical sheets that AFS was going to develop to educate legislatures on stream issues and potentially be a resource for people giving presentations to the legislature?

Ange C: Brian Canaday was going to take the lead on this. I have not heard from him, but I will check the status.

### **New Business:**

Matt M: Currently the Bush Administration is trying to change the review process on threatened and endangered species. Goal is to circumvent the process and weaken the review process for developers. I would like to see the Missouri Chapter develop a response to this. I will follow up with Mike Kruse about putting together a letter.

Paul C: Many of you are probably aware of the hand fishing article that recently appeared in Fisheries without any peer review. MDC Fisheries has written a response to this article, but as of yet has not heard anything from AFS.

Matt M: Mike Smith is requesting ideas for the theme of MNRC in 2010 when AFS is the host. Please get ideas to Mike ASAP.

Matt Matheney made a motion to adjourn the meeting. It was seconded by Sherry Fischer. The motion passed.

Meeting adjourned at 2:50 PM.