



# Timberlines

W. J. Breckenridge Chapter  
Izaak Walton League  
August/September 2010  
[www.breckenridgeikes.org](http://www.breckenridgeikes.org)

## Coming Events

### September

- 14 Board Meeting 7:30 pm  
28 Social/Ed meeting

### October

- 12 Board Meeting 7:30 pm  
26 Social/Ed meeting

### November

- 09 Board Meeting 7:30 pm  
23 Social/Ed meeting

September 28, Tuesday

7:30 p.m.

### Social/Educational meeting:

Irene Jones, River Coordinator Program Director for The Friends of the Mississippi River will make a presentation on past and present rulemaking for the Mississippi River corridor (Mississippi National Recreation Area.)

Presentation will include:

- history and overview of the Mississippi Critical Area Act of 1973
- 30 year history
- 2009 legislation directing the DNR to promulgate for the corridor (Dayton to Hastings)
- an update on current rulemaking efforts and FMR's participation

The IWLA has a long history of backing and advocating improvements to the ecology of the Mississippi River. This meeting should be of great interest to our members.

*Volunteers  
for  
refreshments needed.  
Please call  
Melissa  
Sonnenberg  
if you can  
help.  
763-549-8873*

**If you would like to  
receive this newsletter  
electronically, please contact  
Barb Franklin at 763-657-1907**

## CAN THE LOCKS BE CLOSED WITHOUT CONGRESSIONAL ACTION? Bill Barton 9-1-10

I thought you might be interested in the following excerpts from Brad Walker's August Report "**August 2010 Update – Brad Walker, IWLA UMR Coordinator**" and WRDA 2007. Brad is the Ike's National Upper Mississippi River Coordinator. While I'm not an attorney or legislation expert, I took a look at the Water Resources Development Act, Public Law 110-114 Nov. 8, 2007 (WRDA 2007) and do not believe it prevents temporary closing of the locks for economics or ecosystem protection. It can be argued that since closing the locks is ceasing operation and not a cumulative impact of operation, but that it would be both an economic benefit and ecosystem protection decision, it does not fall under restoration limitations. I suggest that we explore this position and also work to change WRDA to formally allow changes to navigation for closures justified by either economic return or ecosystem protection grounds. I believe this justification has held up in court (Missouri River operations.)

Excerpt from "**August 2010 Update – Brad Walker, IWLA UMR Coordinator**"

Pages 2&3 #3 Other Meetings Attended

"...River Resources forum meeting on 8-24-10 and 8-25-10 in Red Wing, MN: On the morning of 8-25-10 we took a boat tour of the construction work authorized by the ARRA on improving the embankments, modifications to the navigation channel and extending the lock guidewall at Lock and Dam 3 upstream of Red Wing. The remainder of 8-24-10 and 8-25-10 were in meetings discussing the Channel Maintenance Program, Reach Planning update and updates on EMP, NESP, Asian Carp and the Water Level Management Task Force – specifically the drawdown occurring since July in Pool 6. The Reach Plan discussion revolved primarily around a proposal to pursue a feasibility study looking at restoring the rapids between the St. Anthony Falls and Ford Dam. Endorsing the study was rejected because it was considered contrary to the requirement of not negatively impacting navigation required under WRDA 2007.

Page 3 #6 Other UMR-related Issues:

A letter was sent by League President Jim Madsen to Colonel Price at the St. Paul District requesting a study be pursued regarding the viability of protecting the UMR waters above the St. Anthony Falls by closing the St. Anthony Falls and Ford (No. 1) Locks. Included in the request was an economic study of the benefits and costs of closing the locks. This letter was the result of a resolution request at the July National Convention from the Breckenridge Chapter in Minnesota.

control projects must not affect adjacent communities: "(v) the avoidance of negative impacts to adjacent shorefront communities;

I also found in **SEC. 8004 ECOSYSTEM RESTORATION AUTHORIZATION** that the prohibition of navigation impacts is restricted only for modification of the operation and to the listed projects. I would argue that a decision to cease operation is not technically covered by this language and that it would be done for both economic and protection/preservation purposes, not restoration.

121 STAT. 1284 PUBLIC LAW 110-114—NOV. 8, 2007 121 STAT 1041 (page 244 of 252)

33 USC 652 note **SEC. 8004. ECOSYSTEM RESTORATION AUTHORIZATION**

(a) OPERATION.—To ensure the environmental sustainability of the existing Upper Mississippi River and Illinois Waterway System, the Secretary shall modify, consistent with requirements

to avoid adverse effects on navigation, the operation of the Upper

Mississippi River and Illinois Waterway System to address the cumulative environmental impacts of operation of the system and

improve the ecological integrity of the Upper Mississippi River and Illinois River.

(b) ECOSYSTEM RESTORATION PROJECTS.—

(1) IN GENERAL.—The Secretary shall carry out, consistent with requirements to avoid adverse effects on navigation, ecosystem

restoration projects to attain and maintain the sustainability of the ecosystem of the Upper Mississippi River and Illinois River in accordance with the general framework outlined in the Plan.

(2) PROJECTS INCLUDED.—Ecosystem restoration projects may include—

(A) island building;

(B) construction of fish passages;

(C) floodplain restoration;

(D) water level management (including water drawdown);

(E) backwater restoration;

(F) side channel restoration;

(G) wing dam and dike restoration and modification;

(H) island and shoreline protection;

(I) topographical diversity;

(J) dam point control;

(K) use of dredged material for environmental purposes;

(L) tributary confluence restoration;

(M) spillway, dam, and levee modification to benefit the environment; and

(N) land and easement acquisition.

I found in section 2038 **NATIONAL SHORELINE EROSION CONTROL DEVELOPMENT PROGRAM**. that shoreline erosion

## Informational Slides from the August Social/Education meeting with Brad Walker.

### Why a New UMT Report?

#### Report Justification

- Corps and barge industry pushing for new 1,200 foot locks on the UMR since early 1990's.
- In 2000 the Corps was caught manipulating barge modeling data
- The Corps' 2004 NESP Report formally coupled navigation expansion with more ecosystem restoration projects and funding
- Navigation expansion was based on projected significant barge traffic increases, which have never occurred
- The Corps has been unable to provide convincing evidence that the NESP navigation expansion will be an economic benefit to the public through their late 2007 Economic Reevaluation Report.
- Expanded UMR ecosystem restoration, tied to navigation in NESP. Has been held hostage due to lack of appropriations
- Inland Waterways Trust Fund has inadequate revenue to support the billions of proposed project industry proposing to reduce their cost share from 50% to less than 30%

### Conclusions and Recommendations

Conclusion: Achieving adequate ecosystem restoration on the Upper Mississippi River System is currently obstructed by the misguided and unjustified large-scale navigation construction projects proposed in NESP.

Recommendations:

- NESP be de-authorized , canceling the lock construction projects
- The small-scale and non-structural measures presently included in the NESP

Recommended Plan receive separate authorization so that they may be implemented without delay.

- The increased funding for ecosystem restoration currently bound to the initial phase of NESP, any additional related restoration plans, and new and essential restoration components; be formally transferred to the existing Environmental Management Program
- Congress authorize these recommendations and appropriate funds to support them, including initially increasing funding for the Environmental Management Program to at least equal the authorized funding level for restoration contained in NRSP or \$100million annually with further increases as are deemed necessary to adequately restore the system.

### Comments or Questions

**Big Price**-Little Benefit Report web site:  
<http://www.iwla.org/index.php?ht=d/sp/i/2077>



## The Thin Green Line

- Written by John Rust (some material taken from various sources on the internet)

Many biologists and most people know that due to habitat destruction and human population pressures, many of the Earth's species are disappearing forever. To put it succinctly, species are going extinct. What is not widely known, however, is that the rate of species extinction may now be rivaling the five great mass extinctions of Earth's geological past. Some biologists estimate that Earth is losing something on the order of 30,000 – 50,000 species per year (3 – 6 species per hour).

Many of Earth's ecosystems are remnants of their former selves. Only a small percentage of North America's tall grass prairies are left. Much of North America's old growth forests are gone. The rainforests of the Amazon basin are being cleared at astonishing rates. What little that is left of many of Earth's ecosystems are divided up into a patchwork quilt of habitat and wildlife management areas, which to a certain extent, are managed by humans.

Biologists have calculated that the current rate of extinction is 1000 to 10,000 times the background rate of extinction as indicated in the fossil record. Today's rate of extinction is on the order of an asteroid collision with the earth. Modern day extinctions are occurring at a rate that is comparable to the meteorite collision that wiped out the dinosaurs 65 million years ago. Yet, we don't have many of earth's species identified or cataloged. We don't even know what we are losing. Right now, today, life faces the "Sixth Great Extinction Event". The cause of

course is: you, me, all of us: agriculture, mining, lumbering, oil and gas extraction, manufacturing, traveling, warring, consuming, and breeding by six billion human beings. For the first time in the history of life on Earth, one species is killing countless others. For the first time, one species; Homo sapiens; that's us; is waging a war



against Nature.

The crisis we face is biological meltdown. Biologists warn that the proportion of species driven to extinction may reach 20% and may rise to 50% or more. If a brick and mortar building had 20% - 50% of the bricks removed, do you think its structure would be very solid? I don't.

Here is a list of some interesting species and ultimately how they may benefit humans. Of course each of earth's species has an intrinsic value to life on earth and how it fits into a niche within an ecosystem that has evolved over 4.5 billion years.

- Pacific yew – Discovery of taxol used to treat ovarian and other cancers
- Willow - Discovery of aspirin used to treat pain and anti-inflammatory
- Woody Foxglove – Discovery of digitalis used to treat heart
- Fungus – Discovery of penicillin used to treat bacterial infections
- Green Tee – Antioxidants are heart beneficial and anti-cancer
- Aloe Vera – Used to treat wounds and burns
- Monarch Butterfly – Aesthetic value and intrinsic value.
- Siberian Tiger – Aesthetic value and intrinsic value.
- Humpback whale – Aesthetic value and intrinsic value.

There is a specific member of the Breckenridge Chapter that I admire and respect for a variety of reasons. From what I can tell, that person lives life in such a way as to minimize resource usage and their 'Ecological Footprint'. I think about how to minimize my 'Ecological Footprint' at times, but not as often as I should or could. It's a journey we are all learning.

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If you would like to submit an article for the Timberlines, please send it to  
Marlys Carls-Steiskal at: [EditorBreckIWL@msn.com](mailto:EditorBreckIWL@msn.com)  
Deadline is the last day of each month.  
“All articles in this newsletter do not necessarily reflect the position  
of the Breckenridge Board of directors.”

### Bluebird Trail News

The IWL Bluebird Trail at Oxbow Creek Park has 12 nesting boxes which are used by bluebirds, tree swallows, house wrens, house sparrows, and chickadees. This summer most boxes have been occupied by one or the other at different times. The bluebird count for the season is 13 fledglings. Because of the early warm spring weather the birds were nesting earlier too. The field where the trail is had some wildflowers I had not seen in other years. It was a beautiful long season. I have monitored the bluebird trail for several years. I plan to retire from this task this year. Anyone interested in taking on a very enjoyable outdoor activity please call me and I will clue you in.

Lorraine Spears (763-424-0552)

