

STATE WATER PLAN TASK FORCE MEETING

9:00 A.M. August 11, 2021

Illinois Department of Natural Resources

Web-Ex Meeting Minutes

Task Force Members Present:

IDNR–OWR: Loren Wobig, Wes Cattoor, Terra McParland, Rick Pohlman. Jim Casey, Steve Altman

IDNR–ORC: Brian Metzke, Seth Love, Brennan Caputo

ISWS: Laura Keefer, Walt Kelly, Glenn Heistand

IDOT: BJ Murray

IDPH: Brian Cox

IWRC: Amy Weckle

Agencies not in attendance: IDNR–OMM, IDOA, IEMA, DCEO, IPCB. IEPA

Non-Members Present:

USGS: Kelly Warner

The Meeting was called to order at 9:00 A.M. The meeting agenda, meeting recording and minutes are posted on the State Water Plan Task Force (SWPTF) website. The website also contains general information about the State Water Plan's history and current activity.

<https://www.dnr.illinois.gov/WaterResources/Pages/StateWaterPlanTaskForce.aspx>

Note: An Illinois State Water Plan (SWP) was first published in March of 1967 and was updated in 1984. The Task Force which compiled the 1984 report continued to meet and publish several subsequent documents to continue the planning process and to provide updated information. That State Water Plan Task Force (SWPTF) continues to meet quarterly to address issues related to the waters of Illinois. The SWPTF is comprised of state agency representatives and invited federal and local partners.

Welcome: Loren welcomed everyone to the meeting and thanked everyone for attending and participating in this effort. Loren reminded the group that today we are going to dive into three topic areas for the SWP. We want to have some general discussions and feedback. We are at a point of transitioning from individually working on specific topics related to our fields of interest, but we need to come back together and start to consider our collective Task Force level recommendations for each topic.

Wes reviewed the agenda. There will be no formal presentation today since we are going to be reviewing the submitted topic recommendations instead. When reviewing the draft sections, we need to discuss cross cutting issues. We will also look at the formatting of the recommendations table to include some standard language for report continuity. Today, three topics will be shared online for discussion purposes and we will discuss each issue recommendation separately.

Topic Discussion: Aquatic and Riparian Habitats – Brian Metzke

- Brain's group developed their issues last June and they incorporated recommendations from their stakeholder groups in the presented table.

- Brian asked the group to focus on anything they missed
- Overview:
 - His group reviewed the previous plan so in the first paragraph of the Overview, they provided an update of issues outlined in the previous plan.
 - Next in the Overview, they discussed the current statutes that govern this Topic and where they fall short of protecting riparian habitat.
- Issues: (3 main categorical issues)
 - First, they looked at issues that hadn't yet been solved as well as new concerns.
 - Next, they looked at the current state of data collection but it is lacking
 - Third they discussed how Illinois water law prioritizes private use rather than protection.
- Their group was challenged to determine how general or specific the overview and recommendations should be. Should metrics and measures be listed or not? They listed numeric criteria but are willing to back off to more generalities if that is the direction the TF goes.
- Their group didn't like the short- and long-term categories since all their items were both. **The TF subsequently decided to remove those designations from the table.**
- Discussion about the general format of the recommendations was either to present the goal (issue) or the objective (something to measure when completed) or the tactic (how to accomplish the objective). It was decided to list the objective and allow the recommended lead agency to determine how to accomplish the objective and to make sure that the recommendations are not set in stone. Comments from the Task Force are listed below for the Topic Leader's use.

Recommendation	Comments
1. Implement watershed Best Management Practices (BMPs) on State-owned and leased lands. Prioritize those BMPs with greatest benefit to aquatic and riparian habitat.	<ul style="list-style-type: none"> - Will a new policy be set in place? - Perhaps state that all new lease agreements and renewals (starting 2023) must implement this policy. - Maybe include points of measure like no. of acres requiring BMPs - This recommendation could align with nutrient reduction recommendations, and Xcutting with WQ & sediment and erosion control topics - perhaps a goal is that all or ½ the lands are covered by this policy over 10 years? - Are we looking at all state-owned land? If so, it would need to be a recommended Executive Order and other agencies with state land would need to be involved.
2. Enhance incentive programs for the implementation of watershed BMPs on private lands. Develop or enhance education and outreach for incentive programs. Prioritize those BMPs with greatest benefit to aquatic and riparian habitat.	<ul style="list-style-type: none"> - Same comments as above for the most part. - Perhaps goal of 30% protected in the next 9 years or an acreage goal.
3. Identify flood prone areas in underserved communities and	<ul style="list-style-type: none"> - Brian thinks this recom will decrease flood impacts and also enhance recreational benefits.

Recommendation	Comments
implement a program to develop these areas into multi-benefit floodplains with the goals of reducing flood impacts and providing access to recreational opportunities.	<ul style="list-style-type: none"> - Xcutting with Flood Damage Topic and Recreation recommendations - This recom addresses equity and environ justice
4. Support Nutrient Loss Reduction Strategy with dedicated funding.	<ul style="list-style-type: none"> - It was noted that there might be a funding mechanism in place but that more funding is needed. - more robust requirements might be required.
5. Reduce fragmentation through barrier removal (e.g., dams, perched culverts, levees) or implementing connectivity enhancement (e.g., bypass channels, fish ladders) where removal is not feasible.	<ul style="list-style-type: none"> - we have dam removal authority and funds but maybe expand authority to include levees - Maybe add ORC review of this topic in new designs in the CERP review process? Already being reviewed by USACE and IEPA 401 but IDNR-ORC has no input.
6. Identify and enroll areas for Class III groundwater designation to maintain base flows in surface waters and protect water quality and physical structure of groundwater-fed aquatic and riparian habitat.	<ul style="list-style-type: none"> - Xcutting with Water Sustainability - Class III Nature Preserves Act vs Title 35 definitions?
7. Increase the breadth of aquatic and riparian habitats (e.g., headwaters, unregulated rivers) and physicochemical components (e.g., chlorides, temperature) recorded by stream gages. Increase frequency of measurements recorded by stream gages.	<ul style="list-style-type: none"> - Goal is to increase where we measure (Xcutting with Data management) and types of measurement - One of the recommendations in Data management is to provide a collaboration group to determine optimal data collection locations/types - We might be able to utilize existing staff with redesigned program tasks
8. Increase the breadth of aquatic and riparian habitats (e.g., headwaters) included in biological surveys. Increase the breadth of biota surveyed (e.g., mussels). Increase the frequency of biological surveys at sampled stations.	<ul style="list-style-type: none"> - Same comments as above but related to biological data collection. - Also increase frequency of testing (some only occur every 5 years so recommend funding for every year) for this and No. 7
9. Expand CTAP wetland monitoring. Periodically reassess wetlands to update NWI.	<ul style="list-style-type: none"> - Many maps are 10 years old and the recommendation might be to increase mapping to every 5 years.
10. Increase funding for monitoring and control of invasive species.	<ul style="list-style-type: none"> - The key is to identify early and control early. Brian will check with current fisheries objectives to see what they do. Wants to include all ANS/invasives, not just Asian Carp
11. Develop and interagency database to integrate physical, chemical, flow, and biological monitoring data.	<ul style="list-style-type: none"> - This is Xcutting with Integrated Management Topic (IL Flood Center recommendation) to include GIS mapping of many different datasets (flooding, drought, roads closed

Recommendation	Comments
	<p>due to flooding, river flows, inundation, navigation limits, etc. etc.)</p> <ul style="list-style-type: none"> - Tie this into real-time data integration
<p>12. Identify environmental flow standards for public waters with an emphasis on maintaining or enhancing biological composition. Incorporate climate projections into these standards to estimate future flow conditions.</p>	<ul style="list-style-type: none"> - Xcutting with Water sustainability, there is a GIS public viewed map with low flow restrictions already - The objective is to establish an improved standard - Xcutting with Flood Damage Topic since asking to incorporate climate change into hydrology projections.
<p>13. Develop biological indices in underrepresented habitats (e.g., headwaters, large rivers, lakes) and underrepresented biota (e.g., wetland insects, mussels) to fill assessment gaps.</p>	
<p>14. Identify additional Public Waters and petition to add those not on the current Public Waters list.</p>	<ul style="list-style-type: none"> - Perhaps instead develop a new category of water designation to allow ORC to comment on activities - Public water has lots of legal implications tied to commerce and navigation. Need to keep that designation as it stands.
<p>15. Incorporate ecologically-based environmental flow standards for Public Waters and waters of conservation concern (e.g., Biologically Significant Stream [BSS], INAI) into regulatory processes. Account for future flow conditions.</p>	
<p>16. Establish or enhance environmental review processes for those activities degrading aquatic and riparian habitat, yet are exempted from State or Federal permitting (e.g., some water withdrawals, clearing of instream debris, riparian vegetation clearing, small dredging projects).</p>	<ul style="list-style-type: none"> - This topic was controversial since two disparate goals within the same agency – protect habitat but keep open rivers for navigation and recreation. - IFB might have comments on this recommendation. - When you start regulating more, it is hard to regulate any so maybe focus on being part of the review process - Maybe use public education to learn about better implementation strategies for these activities. - Perhaps recommend collaboration of the polarized issues to explore the issue further
<p>Establish an Aquatic Habitat Stamp to generate revenue for increased protection, management, and restoration of lake, river and stream resources.</p>	<ul style="list-style-type: none"> - Brennan had heard of an ANS stamp but not this Stamp but he will follow up to find out the status
<p>Utilize the Natural Resource Damage Assessment (NRDA) process to levy fines on those negatively impacting aquatic</p>	

Recommendation	Comments
resources which are sufficient to mitigate impacts.	
Establish statewide statutory authority for isolated wetlands and develop mechanisms for regulating and mitigating impacts.	<ul style="list-style-type: none"> - 90% of the wetlands in the state are not regulated. - Statewide statutes needed instead of Co. by Co. varying definitions.

Topic Discussion: Water Based Recreation – Brennan Caputo and Seth Love

- Overview:
 - Took some facts from the State Recreation Plan
- Issues:
 - Invasive Species
 - Public/Private Access
 - Safety
- They also took out the short- and long-term designation since many of the recommendations are already occurring and they need to continue. **The TF subsequently decided to remove those designations from the table.**

Recommendation	Comments
1. Continue the Illinois DNR Asian Carp Monitoring and Removal Programs.	<ul style="list-style-type: none"> - The group will look into the potential ANS stamp and how other states are dealing with this issue including GLMRI - It was noted that IL gets lots of federal \$, other states do a tournament to raise money, WI charges for park entrance fees to fund the power washing efforts - Suggested to create a statewide ANS program
2. Continue promoting aquatic nuisance species awareness	<ul style="list-style-type: none"> - Suggested to be even more specific, at the Brandon Rd project, create a research and outreach education center as part of the overall project, ask for funding for this project
3. Continue requesting funding for State Fish and Wildlife Area and Parks boat access improvements.	<ul style="list-style-type: none"> - Not sure of current funding source but expand current program - Weave in social and environ justice since could argue that access is needed for to allow for fishing for sustenance. This would serve disadvantaged groups. - Also include funding for adding shoreline fishing access - When taking out a dam or other project that impacts fishing, add a method for mitigating for loss of fishing

Recommendation	Comments
4. Local governments should continue applying for Boat Access Area Development (BAAD) Program funding for site improvement projects.	- IDNR to partner with conservation districts to identify areas of high demand and assist the local governments with applying
5. Continue promoting Illinois water recreation opportunities	- How? Videos, commercials or something else measurable.
6. Provide easy-to-understand information to water users on waterway access laws and regulations *cross-cutting*	<p>- Xcutting issue with Regulations</p> <p>- This is a good GIS tool application where users could click on their location and a list of rules for that location could be opened</p> <p>- Could link fishing regulations like the hunting IRAP tool. Maybe not reinvent the wheel but add to existing product (Xcutting with Habitat, Flood Damage, Integration recommendations to provide GIS based product)</p> <p>- since keeping water availability (flows) to maintain recreation could conflict with other uses, how to ensure recreation’s priority?</p> <p>-Private vs. Public use, maybe give tax cut to provide water right of way or other incentive to owner or need legislation to allow access</p>
7. Continue updating boater safety content across all platforms to keep information relevant	<p>- Could utilize GIS product to show latest safety requirements (from Item 6). Could show low head dam locations, navigation flow warnings, warning areas, etc.</p> <p>- Stream gauge data can be pulled in to show discharge data in real time and could add warning levels but that might have legal implications</p> <p>- Another option is to reengage restricted boating at dams but it didn’t pass in the past.</p>

Recommendation Table:

- The report will focus on the short-term recommendations that can be completed in the next 5 years. Could also use the term “initiate” to indicate that some recommendations could go on longer than 5 years.
- Number of recommendations. All recommendations will be numbered consecutively throughout the report to allow easy reference in the future. For now, each group should just number their items starting at 1 and overall numbering will be configured after the report is compiled.
- Only list the Lead Agency, even if others are impacted. We want that agency to be responsible for being able to report on the status of the recommendation.

- Funding – limited entries to: Annual, One-Time or None. Do not put the projected costs at this time. We recognize that we will eventually need to compute costs as the General Assembly moves forward but it is beyond the scope at this time.
- Action – limited entries to: Program, Policy, Legislation, Study, Project
- No mention of cross cutting issues at this time in the table (or by asterisks) as it will be addressed by the Xcutting diagrams showing the connections. However, for discussion purposes, it is good to internally track your own x-cutting issues for further collaboration if needed.

General:

- Loren has reached out to the Governor’s Office of Equity about how to engage the office for this effort and any recommendations they might have.
- It was suggested again to request some of the environmental and green groups that are both involved and not yet involved in this project to review the report for inclusion and justice issues.

Schedule: The schedule remains as follows.

Red font = Committee Deadlines; Blue font = Public Outreach; Green font = Task Force Meetings

Developing Recommendations Phase

- Sept. 8 – SWPTF meeting – Review 3-4 Topics and coordination
- Oct. 7 - SWPTF meeting – Review 3-4 Topics and coordination

Final Report Phase

- Nov. 3 – Submit Committee’s Draft Section
- Nov. 10 – SWPTF meeting – Discuss draft report
- Nov. 30 – Combined Draft report published
- Jan. 12 – SWPTF meeting – Final Public Outreach coordination
- Jan. 25-27 – Final Public Outreach on draft report
- Feb. 28 – Close Public Comments
- Spring 2022 – Publish Report

Next Meeting Outline: The next meeting was set for **September 8, 2021 at 9:00 A.M.** to be held via Web-Ex. The agenda will include a discussion about the connectivity exhibits, and discussion of up to 4 topics to identify cross-cutting issues and recommendations.

- The following groups volunteered to have their sections ready for review: Flood Damage Mitigation, Integrated Water, and Water Sustainability. If anyone else is interested, we might be able to squeeze in a 4th topic.

The meeting was concluded at 12:20 P.M.