

106TH CONGRESS
2D SESSION

H. R. 4013

To establish a cooperative effort of the Department of Agriculture and the Department of the Interior to reduce sediment and nutrient loss in the Upper Mississippi River Basin.

IN THE HOUSE OF REPRESENTATIVES

MARCH 16, 2000

Mr. KIND (for himself, Mr. LEACH, Mr. GUTKNECHT, Mr. MINGE, Mr. MANZULLO, Mr. EVANS, Mr. NUSSLE, Mr. LUTHER, Ms. BALDWIN, and Mr. VENTO) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish a cooperative effort of the Department of Agriculture and the Department of the Interior to reduce sediment and nutrient loss in the Upper Mississippi River Basin.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Upper Mississippi River Basin Conservation Act of
6 2000”.

- 1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
 Sec. 2. Findings, purposes, and sound science.
 Sec. 3. Definitions.

TITLE I—SEDIMENT AND NUTRIENT MONITORING NETWORK

- Sec. 101. Establishment of monitoring network.
 Sec. 102. Data collection and storage responsibilities.
 Sec. 103. Relationship to existing sediment and nutrient monitoring in Upper Mississippi River Basin.
 Sec. 104. Collaboration with other public and private monitoring efforts.
 Sec. 105. Cost share requirements.
 Sec. 106. Reporting requirements.

TITLE II—INITIATIVE GRANT, DEMONSTRATION, AND OUTREACH PROGRAMS

- Sec. 201. Computer modeling of sediment and nutrient sources in Upper Mississippi River Basin.
 Sec. 202. Research regarding best management practices and sediment and nutrient loss.
 Sec. 203. Demonstration projects regarding new best management practices to reduce sediment and nutrient loss.
 Sec. 204. Use of electronic means to distribute information.
 Sec. 205. Reporting requirements.

TITLE III—FINANCIAL AND TECHNICAL ASSISTANCE UNDER DEPARTMENT OF AGRICULTURE CONSERVATION PROGRAMS

- Sec. 301. Increased assistance to reduce sediment and nutrient loss.
 Sec. 302. Designation of Upper Mississippi River Basin as a conservation priority area.
 Sec. 303. Increased enrollment authority under conservation and wetland reserve programs.
 Sec. 304. Increased funding for Wildlife Habitat Incentives Program and environmental quality incentives program.
 Sec. 305. Cooperative agreements.

TITLE IV—PROTECTION OF PERSONAL DATA

- Sec. 401. Privacy of personal data received by Department of Agriculture and data gathering locations.

TITLE V—ADVISORY COUNCIL ON THE UPPER MISSISSIPPI RIVER STEWARDSHIP INITIATIVE

- Sec. 501. Establishment of Advisory Council.
 Sec. 502. Responsibilities of Advisory Council.
 Sec. 503. Advisory nature of Council.

TITLE VI—INTERAGENCY WORKING GROUP ON UPPER MISSISSIPPI RIVER STEWARDSHIP INITIATIVE

- Sec. 601. Establishment of Interagency Working Group.

TITLE VII—AUTHORIZATION OF APPROPRIATIONS

Sec. 701. Authorization of appropriations.

1 SEC. 2. FINDINGS, PURPOSES, AND SOUND SCIENCE.**2 (a) FINDINGS.**—Congress finds the following:

3 (1) The Upper Mississippi River and its tribu-
4 taries are an important source of municipal and in-
5 dustrial water supplies for many of the region’s
6 more than 24,000,000 residents.

7 (2) The Upper Mississippi River supports many
8 economic activities of regional and national impor-
9 tance and is an important element of the national
10 transportation infrastructure, enabling shipment of
11 agricultural, petroleum, coal, and many other prod-
12 ucts.

13 (3) Millions of tourists annually visit the Upper
14 Mississippi River to fish, hunt, swim, boat, and
15 camp, as well as to visit the region’s many historic
16 towns and archeological sites.

17 (4) The sediments and nutrients that inadvert-
18 ently wash off of farmland into streams and ulti-
19 mately into the Mississippi River result in—

20 (A) a reduction in the quality and quantity
21 of farm crops and thereby a reduction in farm
22 income;

23 (B) an increase in channel maintenance
24 costs;

1 (C) a threat to drinking water supplies;
2 and

3 (D) the filling of side channels used by
4 river wildlife.

5 (5) The public and private costs associated with
6 sediment and nutrient loss in the Mississippi River
7 Basin are significant:

8 (A) Farmers lose more than \$300,000,000
9 worth of applied nitrogen annually.

10 (B) Dredging costs exceed \$100,000,000
11 annually.

12 (C) Habitat preservation efforts will soon
13 reach \$33,000,000 annually.

14 (6) Although there are more than 75 local,
15 State, Tribal, and Federal public and private pro-
16 grams designed to address sediment and nutrient
17 loss in the Upper Mississippi River Basin, there is
18 a lack of collaboration by resource managers to iden-
19 tify and address significant sources of sediment and
20 nutrient loss, monitor results, share information, or
21 set priorities. Consequently, programs often overlap,
22 gaps are left unfilled, and scarce resources are not
23 used efficiently.

24 (7) Congress and the executive branch recog-
25 nize the need to focus Federal investment in natural

1 resources management and stewardship in the
2 Upper Mississippi River Basin in a manner con-
3 sistent with efficiency and effectiveness in meeting
4 local, State, Tribal, Basin, and national goals for ag-
5 riculture and environmental health and sustain-
6 ability.

7 (8) A Basin-wide approach to natural resource
8 management involving advisory groups of local,
9 State, and Tribal stakeholders in concert with Fed-
10 eral agencies with appropriate natural resource au-
11 thorities is the most effective means to ensure that
12 Federal investments would accomplish desired re-
13 sults at the local, State, Tribal, and Basin levels.
14 This would ensure that conservation activities would
15 contribute to similar national goals.

16 (9) A public-private approach to natural re-
17 source management in the Upper Mississippi River
18 Basin would ensure that all voices would be heard
19 and all stakeholders would be able to contribute to
20 a process of meeting complimentary and overlapping
21 resource management and environmental goals.

22 (b) PURPOSES.—The purposes of this Act are—

23 (1) to adopt a coordinated public-private ap-
24 proach in the Upper Mississippi River Basin to take
25 action to control nutrient and sediment loss, to mon-

1 itor the results of such actions, share information,
2 and make adjustments to further reduce nutrient
3 and sediment loss;

4 (2) to identify major sources of sediment and
5 nutrients that wash into rivers and streams of the
6 Upper Mississippi River Basin;

7 (3) to increase and target technical and finan-
8 cial assistance to reduce nutrient and sediment loss
9 in the Upper Mississippi River Basin;

10 (4) to develop and demonstrate new solutions;

11 (5) to use monitoring and computer models to
12 set goals and measure success;

13 (6) to expand efforts to share information; and

14 (7) to coordinate public and private programs
15 to collaboratively set and meet priorities.

16 (c) RELIANCE ON SOUND SCIENCE.—It is the policy
17 of Congress that Federal investments in the Upper Mis-
18 sissippi River Basin must be guided by sound science.

19 **SEC. 3. DEFINITIONS.**

20 In this Act:

21 (1) The term “Advisory Council” means the
22 Advisory Council on the Upper Mississippi River
23 Stewardship Initiative established by title V.

24 (2) The term “Upper Mississippi River Basin”
25 means the watershed portion of the Mississippi River

1 extending from Lake Itasca downstream to its con-
2 fluence with the Illinois River and all of the tribu-
3 taries upstream of that confluence, including those
4 tributaries of the Illinois River.

5 (3) The terms “Upper Mississippi River Stew-
6 ards-hip Initiative” and “Initiative” mean the activi-
7 ties authorized or required by this Act and the
8 amendments made by this Act to reduce nutrient
9 and sediment loss in the Upper Mississippi River
10 Basin.

11 (4) The term “sound science” means a sci-
12 entific method that uses the best available technical
13 and scientific information and techniques to identify
14 and understand natural resource management needs
15 and appropriate treatments, to implement conserva-
16 tion measures, and to assess the results of treat-
17 ments on natural resource health and sustainability
18 in the Upper Mississippi River Basin.

19 **TITLE I—SEDIMENT AND NUTRI-** 20 **ENT MONITORING NETWORK**

21 **SEC. 101. ESTABLISHMENT OF MONITORING NETWORK.**

22 (a) ESTABLISHMENT.—The Secretary of the Interior
23 shall establish a sediment and nutrient monitoring net-
24 work for the Upper Mississippi River Basin for the pur-
25 pose of reducing sediment and nutrient loss.

1 (b) ROLE OF UNITED STATES GEOLOGICAL SUR-
2 VEY.—The Secretary of the Interior shall carry out this
3 title acting through the office of the Director of the United
4 States Geological Survey.

5 (c) HEADQUARTERS.—Sediment and nutrient moni-
6 toring information shall be headquartered at the Upper
7 Midwest Environmental Sciences Center in La Crosse,
8 Wisconsin.

9 **SEC. 102. DATA COLLECTION AND STORAGE RESPONSIBIL-**
10 **ITIES.**

11 (a) GUIDELINES FOR DATA COLLECTION AND STOR-
12 AGE.—The Secretary of the Interior shall establish guide-
13 lines for the effective design of data collection activities
14 regarding sediment and nutrient monitoring, for the use
15 of suitable and consistent methods for data collection, and
16 for consistent reporting, data storage, and archiving prac-
17 tices.

18 (b) RELEASE OF DATA.—Data resulting from sedi-
19 ment and nutrient monitoring in the Upper Mississippi
20 River Basin shall be released to the public using generic
21 station identifiers and location coordinates. In the case of
22 a monitoring station located on private lands, information
23 regarding the location of the station shall not be dissemi-
24 nated without the landowner's permission.

1 (c) CONSULTATION.—The Secretary of the Interior
2 shall establish the guidelines under subsection (a) in con-
3 sultation with the Secretary of Agriculture and all entities
4 known to be conducting sediment and nutrient monitoring
5 in the Upper Mississippi River Basin.

6 **SEC. 103. RELATIONSHIP TO EXISTING SEDIMENT AND NU-**
7 **TRIENT MONITORING IN UPPER MISSISSIPPI**
8 **RIVER BASIN.**

9 The Secretary of the Interior shall integrate existing
10 sediment and nutrient monitoring efforts, to the maximum
11 extent practicable, into the sediment and nutrient moni-
12 toring network required by section 101.

13 **SEC. 104. COLLABORATION WITH OTHER PUBLIC AND PRI-**
14 **VATE MONITORING EFFORTS.**

15 (a) COLLABORATION.—To establish the sediment and
16 nutrient monitoring network, the Secretary of the Interior
17 shall collaborate, to the maximum extent practicable, with
18 the Secretary of Agriculture and with State, tribal, local,
19 and private sediment and nutrient monitoring programs
20 that meet the guidelines prescribed under section 102(a).

21 (b) GRANT PROGRAM.—The Secretary of the Interior
22 shall direct the State Water Resources Research Institute
23 Program to target resources to promote sediment and nu-
24 trient studies in the Upper Mississippi River Basin by gov-

1 ernmental and nongovernmental entities to the maximum
 2 extent practicable.

3 **SEC. 105. COST SHARE REQUIREMENTS.**

4 (a) REQUIRED COST SHARING.—The non-Federal
 5 sponsors of the sediment and nutrient monitoring network
 6 shall be responsible for not less than 25 percent of the
 7 costs of maintaining the network.

8 (b) IN-KIND CONTRIBUTIONS.—Up to 80 percent of
 9 the non-Federal share may be provided through in-kind
 10 contributions.

11 **SEC. 106. REPORTING REQUIREMENTS.**

12 The Secretary of the Interior shall report to Congress
 13 not later than 180 days after the date of the enactment
 14 of this Act on the development of the sediment and nutri-
 15 ent monitoring network.

16 **TITLE II—INITIATIVE GRANT,**
 17 **DEMONSTRATION, AND OUT-**
 18 **REACH PROGRAMS**

19 **SEC. 201. COMPUTER MODELING OF SEDIMENT AND NUTRI-**
 20 **ENT SOURCES IN UPPER MISSISSIPPI RIVER**
 21 **BASIN.**

22 (a) MODELING PROGRAM REQUIRED.—The Director
 23 of the United States Geological Survey, in collaboration
 24 with the Chief of the Natural Resources Conservation
 25 Service, shall establish a modeling program to identify sig-

1 nificant sources of sediment and nutrients in the Upper
2 Mississippi River Basin.

3 (b) ROLE.—Computer modeling shall be used to iden-
4 tify subwatersheds which are significant sources of sedi-
5 ment and nutrient loss and shall be made available for
6 the purposes of targeting public and private sediment and
7 nutrient reduction efforts.

8 (c) COMPONENTS.—Sediment and nutrient models
9 for the Upper Mississippi River Basin shall include the
10 following:

11 (1) Models of processes affecting field sediment
12 and nutrient losses.

13 (2) Models of watersheds.

14 (3) Models of main river channels.

15 (4) Models that relate sediment and nutrient
16 yields from large basins to sources, land uses, and
17 management practices.

18 (d) COLLECTION OF ANCILLARY INFORMATION.—
19 Ancillary information shall be collected in a GIS format
20 to support modeling and management use of modeling re-
21 sults, including the following:

22 (1) Land use data.

23 (2) Soils data.

24 (3) Elevation data.

1 (4) Information on sediment and nutrient re-
2 duction improvement actions.

3 (5) Remotely sense data.

4 (e) HEADQUARTERS.—Information developed by
5 computer modeling shall be headquartered at the Upper
6 Midwest Environmental Sciences Center in La Crosse,
7 Wisconsin.

8 **SEC. 202. RESEARCH REGARDING BEST MANAGEMENT**
9 **PRACTICES AND SEDIMENT AND NUTRIENT**
10 **LOSS.**

11 (a) IN GENERAL.—The Secretary of Agriculture shall
12 evaluate the benefits and costs of best management prac-
13 tices designed to reduce sediment and nutrient loss.

14 (b) EVALUATION PRACTICES.—The Secretary of Ag-
15 riculture shall work with other partnering agencies, wheth-
16 er Federal, State, Tribal, and local, and with other public
17 and nonpublic agencies to evaluate the benefits of best
18 management practices designed to reduce nutrient and
19 sediment loss.

20 (c) ECONOMIC RISK ASSESSMENT.—The Secretary of
21 Agriculture shall assess the economic risks associated with
22 new best management practices designed to reduce sedi-
23 ment and nutrient loss.

1 **SEC. 203. DEMONSTRATION PROJECTS REGARDING NEW**
2 **BEST MANAGEMENT PRACTICES TO REDUCE**
3 **SEDIMENT AND NUTRIENT LOSS.**

4 The Secretary of Agriculture shall administer a grant
5 program to supplement non-Federal funds being used by
6 State, Tribal, local, and private projects to demonstrate
7 new best management practices designed to reduce sedi-
8 ment and nutrient loss in the Upper Mississippi River
9 Basin.

10 **SEC. 204. USE OF ELECTRONIC MEANS TO DISTRIBUTE IN-**
11 **FORMATION.**

12 (a) ESTABLISHMENT OF SYSTEM.—Not later than 90
13 days after the date of the enactment of this Act, the Direc-
14 tor of the United States Geological Survey shall establish
15 a system that uses the telecommunications medium known
16 as the Internet to provide information regarding the fol-
17 lowing:

18 (1) Public and private programs designed to re-
19 duce sediment and nutrient loss in the Upper Mis-
20 sissippi River Basin.

21 (2) Information on sediment and nutrient levels
22 in the Upper Mississippi River and its tributaries.

23 (3) Successful sediment and nutrient reduction
24 projects.

25 (b) COOPERATION.—The Director of the United
26 States Geological Survey shall establish the system in co-

1 operation with the Natural Resources Conservation Serv-
2 ice.

3 **SEC. 205. REPORTING REQUIREMENTS.**

4 (a) MONITORING ACTIVITIES.—Commencing one
5 year after the date of the enactment of this Act, the Direc-
6 tor of the United States Geological Survey shall provide
7 to Congress and make available to the public an annual
8 report regarding monitoring activities conducted in the
9 Upper Mississippi River Basin.

10 (b) MODELING ACTIVITIES.—Every three years, the
11 Director of United States Geological Survey shall provide
12 to Congress and make available to the public a progress
13 report regarding modeling activities.

14 **TITLE III—FINANCIAL AND**
15 **TECHNICAL ASSISTANCE**
16 **UNDER DEPARTMENT OF AG-**
17 **RICULTURE CONSERVATION**
18 **PROGRAMS**

19 **SEC. 301. INCREASED ASSISTANCE TO REDUCE SEDIMENT**
20 **AND NUTRIENT LOSS.**

21 The Secretary of Agriculture shall increase financial
22 and technical assistance, consistent with the funding pro-
23 vided pursuant to the authorization of appropriations in
24 section 701, to reduce sediment and nutrient loss in the
25 Upper Mississippi River Basin, and shall work with public

1 and private partners to target new assistance to subwater-
2 sheds in the Upper Mississippi River Basin that are sig-
3 nificant sources of sediment and nutrients.

4 **SEC. 302. DESIGNATION OF UPPER MISSISSIPPI RIVER**
5 **BASIN AS A CONSERVATION PRIORITY AREA.**

6 Section 1230(c) of the Food Security Act of 1985 (16
7 U.S.C. 3830(c)) is amended by adding at the end the fol-
8 lowing new paragraph:

9 “(4) UPPER MISSISSIPPI RIVER BASIN.—The
10 Upper Mississippi River Basin (as defined in section
11 3 of the Upper Mississippi River Basin Conservation
12 Act of 2000) is a conservation priority area for the
13 purposes of this chapter and chapter 4.”.

14 **SEC. 303. INCREASED ENROLLMENT AUTHORITY UNDER**
15 **CONSERVATION AND WETLAND RESERVE**
16 **PROGRAMS.**

17 (a) CONSERVATION RESERVE PROGRAM.—Section
18 1231(d) of the Food Security Act of 1985 (16 U.S.C.
19 3831(d)) is amended by striking “36,400,000 acres” and
20 inserting “45,000,000 acres”.

21 (b) WETLANDS RESERVE PROGRAM.—Section
22 1237(b) of such Act (16 U.S.C. 3837(b)) is amended by
23 striking paragraph (1) and inserting the following new
24 paragraph:

1 “(1) MAXIMUM ENROLLMENT.—The total num-
2 ber of acres enrolled in the wetland reserve program
3 shall not exceed 1,075,000 acres.”.

4 **SEC. 304. INCREASED FUNDING FOR WILDLIFE HABITAT IN-**
5 **CENTIVES PROGRAM AND ENVIRONMENTAL**
6 **QUALITY INCENTIVES PROGRAM.**

7 (a) WILDLIFE HABITAT INCENTIVES PROGRAM.—
8 Section 387(c) of the Federal Agriculture Improvement
9 and Reform Act of 1996 (16 U.S.C. 3836a(c)) is amended
10 by striking “\$50,000,000” and inserting “\$75,000,000”.

11 (b) ENVIRONMENTAL QUALITY INCENTIVES PRO-
12 GRAM.—Section 1241(b) of the Food Security Act of 1985
13 (16 U.S.C. 3841(b)) is amended by striking “and
14 \$200,000,000 for each of fiscal years 1997 through
15 2002,” and inserting “\$200,000,000 for each of fiscal
16 years 1997 through 2000, and \$300,000,000 for each of
17 fiscal years 2001 and 2002,”.

18 **SEC. 305. COOPERATIVE AGREEMENTS.**

19 (a) AGREEMENTS AUTHORIZED.—Notwithstanding
20 any other provision of law (including any provision of law
21 requiring competition), the Secretary of Agriculture may
22 enter into a cooperative agreement with a State, Tribal,
23 local, and other public and nonpublic agencies if the Sec-
24 retary of Agriculture determines that—

1 (1) the objectives of the agreement will serve a
 2 mutual interest of the parties to the agreement in
 3 carrying out the programs administered by the De-
 4 partment of Agriculture; and

5 (2) all parties to the agreement will contribute
 6 resources to the accomplishment of these objectives.

7 (b) TYPES OF AGREEMENTS.—A cooperative agree-
 8 ment under this section may include an agreement for the
 9 acquisition of goods and services, including personal serv-
 10 ices.

11 **TITLE IV—PROTECTION OF** 12 **PERSONAL DATA**

13 **SEC. 401. PRIVACY OF PERSONAL DATA RECEIVED BY DE-** 14 **PARTMENT OF AGRICULTURE AND DATA** 15 **GATHERING LOCATIONS.**

16 The Food Security Act of 1985 is amended by insert-
 17 ing after section 1243 (16 U.S.C. 3843) the following new
 18 section:

19 **“SEC. 1244. PRIVACY OF PERSONAL DATA RELATING TO** 20 **NATURAL RESOURCES CONSERVATION PRO-** 21 **GRAMS.**

22 “(a) INFORMATION AND DATA RECEIVED FOR TECH-
 23 NICAL AND FINANCIAL ASSISTANCE.—Notwithstanding
 24 any other provision of law and except as provided in para-
 25 graph (c), information and data provided to, or developed

1 by, the Secretary of Agriculture (including a contractor
2 of the Secretary) for the purpose of providing technical
3 or financial assistance to a landowner or operator with re-
4 spect to any natural resources conservation program ad-
5 ministered by the Natural Resources Conservation Service
6 or the Farm Service Agency shall not be released or dis-
7 closed (including release or disclosure pursuant to section
8 552 of title 5, United States Code) to any agency or per-
9 son outside the Department of Agriculture.

10 “(b) INVENTORY, MONITORING, AND SITE SPECIFIC
11 DATA.—Notwithstanding any other provision of law and
12 except as provided in paragraph (c), in order to maintain
13 the personal privacy, confidentiality, and cooperation of
14 landowners and operators, and to maintain the integrity
15 of sample sites, the specific geographic locations of the
16 National Resources Inventory of the Department of Agri-
17 culture data gathering sites and the information and data
18 generated by such sites are not public information and
19 shall not be subject to the mandatory disclosure provisions
20 of section 552 of title 5, United States Code, or released
21 to any local, tribal, State, or Federal agency outside the
22 Department of Agriculture.

23 “(c) EXCEPTIONS.—

24 “(1) RELEASE AND DISCLOSURE FOR ENFORCE-
25 MENT.—The Secretary of Agriculture may release or

1 disclose information or data covered by subsection
2 (a) or (b) to the extent necessary to enforce the nat-
3 ural resources conservation programs referred to in
4 subsection (a).

5 “(2) LIMITED DISCLOSURE TO COOPERATING
6 PERSONS AND AGENCIES.—The Secretary may re-
7 lease or disclose information or data covered by sub-
8 section (a) or (b) to a person or a local, tribal,
9 State, or Federal agency working in cooperation
10 with the Secretary of Agriculture in providing tech-
11 nical and financial assistance described in subsection
12 (a) or collecting information and data from National
13 Resources Inventory data gathering sites. However,
14 the person or local, tribal, State, or Federal agency
15 that receives the information or data may release the
16 information or data only for the purpose of assisting
17 the Secretary in providing the requested technical or
18 financial assistance or in collecting information and
19 data from National Resources Inventory data gath-
20 ering sites.

21 “(3) LIMITED EXCEPTION FOR STATISTICAL
22 AND AGGREGATE DATA.—The Secretary may release
23 information or data covered by subsection (b), if the
24 information or data has been transformed into a sta-
25 tistical or aggregate form that does not allow identi-

1 fication of the individual landowner, operator, or
2 specific data gathering site.

3 “(d) VIOLATIONS.—Section 1770(c) of the Food Se-
4 curity Act of 1985 (7 U.S.C. 2276) shall apply to any
5 person who releases or causes to be released information
6 or data in violation of this section.”.

7 **TITLE V—ADVISORY COUNCIL**
8 **ON THE UPPER MISSISSIPPI**
9 **RIVER STEWARDSHIP INITIA-**
10 **TIVE**

11 **SEC. 501. ESTABLISHMENT OF ADVISORY COUNCIL.**

12 (a) ESTABLISHMENT.—The Secretary of Agriculture,
13 in consultation with the governors specified in subsection
14 (c), shall establish an advisory body, to be known as the
15 Advisory Council on the Upper Mississippi River Steward-
16 ship Initiative, to provide guidance regarding the Initia-
17 tive.

18 (b) MEMBERSHIP.—

19 (1) VOTING MEMBERS.—The Advisory Council
20 shall consist of a total of 15 voting members.

21 (2) CHAIRPERSON.—Voting members shall elect
22 one member appointed under subparagraph (c) to
23 serve as chairperson for the Advisory Council. The
24 chairperson shall serve for a term lasting no more
25 than one year.

1 (c) APPOINTMENT.—The governors of the States of
2 Minnesota, Wisconsin, Illinois, Iowa, and Missouri shall
3 each appoint two voting members of the Advisory Council,
4 to be selected from nongovernmental agriculture, natural
5 resources, recreational, and environmental groups and
6 other persons with interests in the sustainability and
7 health of the natural resources of the Upper Mississippi
8 River Basin.

9 (d) STATE TECHNICAL COMMITTEE REPRESENTA-
10 TION.—The five remaining voting members of the Advi-
11 sory Council shall be drawn from the State Technical
12 Committees established by the Secretary of Agriculture
13 under section 1261 of the Food Security Act of 1985 (16
14 U.S.C. 3861) for the States of Minnesota, Wisconsin, Illi-
15 nois, Iowa, and Missouri. The Secretary of Agriculture
16 shall select one member from each of these State Tech-
17 nical Committees.

18 (e) NONVOTING MEMBERS.—The governors referred
19 to in subsection (c) shall also each appoint one nonvoting
20 member for the Advisory Council who will serve as rep-
21 resentatives of the governors.

22 (f) PER DIEM.—Members of the Advisory Council,
23 including members appointed pursuant to subsection (e),
24 shall receive the Federal per diem for transportation and

1 lodging associated with meetings and other activities of
2 the Advisory Council.

3 **SEC. 502. RESPONSIBILITIES OF ADVISORY COUNCIL.**

4 (a) COORDINATION AND COMMUNICATION.—The Ad-
5 visory Council shall serve as a means for coordination,
6 communication, and information sharing regarding such
7 issues in the Upper Mississippi River Basin as follows:

8 (1) Science and technology concerning conserva-
9 tion practices.

10 (2) Monitoring and modeling needs.

11 (3) Strategies for implementing conservation
12 assistance and programs.

13 (4) Performance assessment.

14 (5) Evaluation and reporting.

15 (b) ANNUAL REPORT ON REDUCTION EFFORTS.—

16 (1) PREPARATION.—The Advisory Council shall
17 prepare an annual report regarding publicly-financed
18 efforts to reduce sediment and nutrient loss in the
19 Upper Mississippi River Basin. In the case of any
20 such report, output data shall conform to the stand-
21 ards established pursuant to section 401.

22 (2) SUBMISSION.—The annual report shall be
23 submitted—

24 (A) to the State legislatures of the States
25 of Wisconsin, Minnesota, Iowa, Illinois, Mis-

1 souri, Kentucky, Tennessee, Arkansas, Lou-
2 isiana, and Mississippi;

3 (B) to the Upper Mississippi River Basin
4 Association; and

5 (C) to the Congress.

6 (c) SPECIAL TASK FORCES.—The Advisory Council
7 may establish and provide guidance to public-private task
8 groups, including the following:

9 (1) A Sediment and Nutrient Monitoring Task
10 Group.

11 (2) A Computer Modeling Task Group.

12 (3) An Outreach Task Group.

13 (d) PUBLIC MEETINGS.—As part of its responsibil-
14 ities under this section, the Advisory Council shall hold
15 annual public meetings in each of the States of Wisconsin,
16 Minnesota, Iowa, Illinois, and Missouri to formulate rec-
17 ommendations and seek public input regarding methods
18 and priorities to reduce sediment and nutrient loss in the
19 Upper Mississippi River Basin. To qualify as the annual
20 meeting in a State, at least two of the three members of
21 the Advisory Council from that State must be present at
22 the meeting.

23 (e) STAFF DIRECTOR.—The Secretary of Agriculture
24 shall appoint an employee of the Natural Resources Con-
25 servation Service of the Department of Agriculture to act

1 as staff director for the Advisory Council. The staff direc-
2 tor shall work in conjunction with the chairperson of the
3 Advisory Council to assist in coordinating the activities of
4 the Advisory Council.

5 **SEC. 503. ADVISORY NATURE OF COUNCIL.**

6 (a) IN GENERAL.—The Advisory Council is purely
7 advisory and shall have no implementation or enforcement
8 authority. However, the Secretary of Agriculture and the
9 heads of the other Federal agencies in the Interagency
10 Working Group established under section 601 shall give
11 strong consideration to the recommendations of the Advi-
12 sory Council in administering natural resources programs
13 of the Upper Mississippi River Basin.

14 (b) PUBLIC OUTREACH.—The Secretary of Agri-
15 culture shall work with the Advisory Council to coordinate
16 outreach activities in the Upper Mississippi River Basin
17 related to technologies and other methods to reduce sedi-
18 ment and nutrient loss.

1 **TITLE VI—INTERAGENCY WORK-**
2 **ING GROUP ON UPPER MIS-**
3 **SISSIPPI RIVER BASIN INITIA-**
4 **TIVE**

5 **SEC. 601. ESTABLISHMENT OF INTERAGENCY WORKING**
6 **GROUP.**

7 (a) ESTABLISHMENT.—The Secretary of Agriculture
8 and the Secretary of the Department of the Interior shall
9 establish an Interagency Working Group to coordinate
10 Federal nutrient and sediment reduction efforts in the
11 Upper Mississippi River Basin under the Initiative.

12 (b) PARTICIPATION.—The Interagency Working
13 Group shall include the following:

14 (1) The Secretary of Agriculture, or the des-
15 ignee of the Secretary.

16 (2) The Secretary of the Interior, or the des-
17 ignee of the Secretary.

18 (c) CHAIR.—The Secretary of Agriculture (or the
19 designee of the Secretary) shall serve as chairperson of
20 the Interagency Working Group and may solicit input and
21 participation by other Federal agencies engaged in sedi-
22 ment and nutrient reduction efforts in the Upper Mis-
23 sissippi River Basin.

24 (d) ANNUAL WORK PLAN AND BUDGET.—The Inter-
25 agency Working Group shall annually develop a coordi-

1 nated work plan and budget for the Federal agencies par-
2 ticipating in the Initiative—

3 (1) to better coordinate Federal efforts to ad-
4 dress sediment and nutrient reduction in the Upper
5 Mississippi River Basin;

6 (2) to encourage Federal agencies responsible
7 for sediment and nutrient reduction efforts to lever-
8 age local, State, and Federal resources;

9 (3) to identify gaps and overlapping programs;
10 and

11 (4) to better prioritize existing Federal spend-
12 ing to address major sources of sediment and nutri-
13 ent loss.

14 (e) COORDINATION.—The Interagency Working
15 Group shall coordinate its recommendations to be included
16 in the work plan and budget with those of individual agen-
17 cies.

18 (f) SUBMISSION OF WORK PLAN AND BUDGET.—Not
19 later than September 15 of each year, the Interagency
20 Working Group shall submit to the Office of Management
21 and Budget the work plan and budget required by sub-
22 section (d).

1 **TITLE VII—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 701. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated such sums as
5 may be necessary to carry out this Act.

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