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1945

# Upper Mississippi Valley Water Use Council



## Proceedings of the Organization Meeting

Hotel Julien, Dubuque, Iowa

January 26, 1945

### OFFICERS OF THE COUNCIL

H. J. SCHROEDER, *Chairman*,  
G. T. M., Deere & Co.,  
Moline, Illinois.

F. T. SCHWOB, *Vice Chairman*,  
Director, Iowa State Conservation Commission,  
Des Moines, Iowa.

J. A. KERPER, *Secretary*,  
Secretary Chamber of Commerce,  
Dubuque, Iowa.

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## ATTENDANCE

### DELEGATES:

#### Illinois

Col. Harry W. Hill, 201 W Monroe St., Springfield  
Sam A. Parr, State Division of Fisheries "  
H. J. Schroeder, G.T.M. Deere & Co. Moline

#### Iowa:

J. A. Kerper, Secretary Chamber of Commerce, Dubuque  
F. T. Schwob, Director, State Conservation  
Commission, Des Moines

#### Minnesota:

Floyd Simon, Chairman, River Improvement Comm. Winona  
A. D. Strong, Minnesota Water Council Minneapolis  
Chester Wilson, Commissioner of Conservation St. Paul

#### Wisconsin:

Adolph Kanneborg, Public Service Commissioner, Madison  
Dr. Edw. Schneberger, State Conservation Dept. "  
Martin Torkelson, State Planning Board. "

### General Attendance:

#### U. S. Army Engineers:

Col. Malcolm Elliott	St. Louis
Col. Lynn C. Barnes	St. Paul
Col. L. B. Feagin	St. Louis
Lt. Col. J. H. Peil	Rock Island
Major F. W. Ashton	" "
Captain A. H. Sebelier	" "
Capt. Elaine F. Monroe	St. Louis
Carleton Kelley	Rock Island
G. E. Lyon	" "

#### Illinois:

George W. Bennett, Illinois Natural History, Urbana  
Dave Smith, Department of Conservation, Springfield

#### Iowa:

W. E. Albert,	Iowa Conservation Commission	Lansing
L. P. Bailey,	" "	" "
Geo. Kaufman	" "	" "
E. B. Gaunitz,	" "	" "
L. F. Tellier	" "	Dubuque
E. B. Speaker	" "	Des Moines
A. H. Wieters	" Department of Health	" "
G. L. Zeimer	" Conservation Commission	" "

PROCEEDINGS

of

Organization Meeting

of

Upper Mississippi Valley Water Use Council

at

Hotel Julian, Dubuque, Iowa

Minnesota:

Lloyd L. Smith, Jr. Department of Conservation, St. Paul  
Ray C. Steele, Upper Mississippi Refuge Winona  
H. A. Whittaker, Minn. Department of Health, Minneapolis

Missouri:

P. G. Barnickol, Conservation Commission, Columbia

Wisconsin:

John Greenbank, Biologist, Conservation Dept. Madison  
D. John O'Donnell, " " " "  
L. F. Warrick, Board of Health, "

U. S. Government:

Albert M. Day, Fish & Wild Life Service, Chicago  
D. H. Janzen, " " " " Minneapolis  
O. Lloyd Meehan " " " " Chicago  
Ray Phillips State & Federal Forester Dubuque.

Miscellaneous:

Cliff Hallowell, National Headquarters, Izaak  
Walton League, Chicago  
Carl V. Riley, Official Reporter, Court House, Dubuque

# PROCEEDINGS

of

Organization Meeting

of

Upper Mississippi Valley Water Use Council

at

Hotel Julien, Dubuque, Iowa,

Friday, January 26, 1945, at 1:30 P.M.

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Mr. H. J. Schroeder, General Traffic Manager,  
Deere & Co., Moline, Illinois, Chairman Pro Tem,  
Presiding.

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CHAIRMAN PRO TEM SCHROEDER: The meeting will please come to order. It is fitting that we thank Dr. Schneberger and the Upper Mississippi River Conservation Committee for recessing their meeting that we might proceed with our meeting at this time. I should like to review briefly the meeting held at the Fort Armstrong Hotel, Rock Island, December 19, 1944, which was attended by representatives of the Federal Government, officers of the States of Illinois, Iowa, Minnesota, Missouri, and Wisconsin, and a few representatives of industry. It was a very interesting meeting at which was discussed the Upper Mississippi River and its problems. Those of you who have not seen a copy of the transcript can procure one by communicating with the U. S. Engineer at Rock Island. I am sure that every one in attendance here would be benefitted as a result of the reading of the proceedings of that meeting. This meeting today is pursuant to resolution passed by the representatives of the States in attendance at the Rock Island conference. The resolution is as follows:

"Resolution Passed by Representatives of the States in Attendance at the Division Conference held at Rock Island:

1. In order to provide for cooperation among the States of Missouri, Illinois, Iowa, Wisconsin, and Minnesota, bordering on the Upper Mississippi River, in securing adequate recognition of all public interests affected by projects and operations for the control and utilization of the waters of the Upper Mississippi River and its tributaries in proportion to the related public benefits, there is hereby organized an Upper Mississippi Valley Water Use Council to be constituted and conducted as hereinafter provided, subject to the approval of the Governors of the respective States above named.

2. The Council shall be composed of three representatives from each of said States, appointed by the Governor thereof, representing as far as practicable the interests of navigation, flood control, conservation of soil, waters, forests, and wild life, public recreation, public health, water supply, pollution control, irrigation, power development, and other public uses of the waters. The Committee shall meet at such times and places as may be directed by call of the chairman, after corresponding with the representatives of the member States, including at least one regular annual meeting to be held in the months of November or December, at which a chairman and secretary shall be elected to serve until the next annual meeting. A representative designated by the Governor of the State of Illinois shall act as temporary chairman and shall call the first meeting of the Council to be held at the same time and place as the next annual meeting of the Upper Mississippi River Conservation Survey Committee, now set to be held at Dubuque, Iowa, January 26, 1945. The Temporary Chairman shall serve until such first meeting, at which a regular chairman and secretary shall be elected to serve until the next annual meeting.

3. The Council shall study proposals for projects and operations of the kind aforesaid, and shall make such recommendations with respect thereto to the appropriate Federal or State authorities as they deem proper in the public interest. Any representative or group of representatives may make minority recommendations. In making such studies and recommendations the Council may call upon and cooperate with the United States Army Engineers, the United States Fish and Wild Life Service, and other appropriate Federal and State agencies.

4. The provisions of this agreement may be amended at any meeting of the Council.

At this time, I trust with the approval of the delegates, the chair takes the liberty of asking Mr. John A. Kerper, Iowa delegate, of Dubuque to serve as Temporary Secretary.

(Whereupon, Mr. John A. Kerper, Secretary, Chamber of Commerce, Dubuque, Iowa, came forward to assume the duties of Secretary.)

According to the resolution, the Governor of Illinois did appoint a temporary chairman. That is why I am so acting.

The Governors of four States have acted upon this resolution, and have appointed delegates for their States as follows:

Minnesota:

Mr. Chester S. Wilson  
Mr. Floyd R. Simon  
Mr. A. D. Strong

Iowa:

Prof. L. C. Crawford  
Mr. John A. Kerper  
Mr. Fred T. Schwob

Illinois:

Col. Harry W. Hill  
Mr. Sam A. Parr,  
Mr. H. J. Schroeder

Wisconsin:

Dr. Edward Schneberger  
Mr. M. W. Torkelson  
Mr. Adolph Kanneberg.

The Governor of Missouri has not yet acted, so we have no representation today from Missouri. They were represented at the December 19th conference, and no doubt their Governor will make his appointments within the near future.

The first order of business will be the election of a permanent chairman and a permanent secretary. We will proceed with nominations for those offices.

MR. STRONG (MNNESOTA): Mr. Chairman, I would like to place in nomination for the office of chairman the name of Mr. Herman Schroeder of Moline. Mr. Schroeder has long been interested in water development. There is a lot of work to be done in connection with the chairmanship of this organization. The purpose of the organization is to work with the U. S. Corps of Engineers. He is located in close proximity to the District Engineers, which at this time would be a distinct advantage to anyone who might be elected to this office, and also an advantage to our organization. It is, therefore, with pleasure that I nominate for the office of chairman, Mr. Herman Schroeder.

MR. SIMON: I second the motion of Mr. Strong as nominating Mr. Herman Schroeder for the office of chairman.

CHAIRMAN PRO TEM SCHROEDER: Inasmuch as I am now a nominee for the office of chairman, I will ask Secretary Kerper to preside over the election.

SECRETARY KERPER: Are there any further nominations?

(NOTE: There were no other nominations made.)

MR. WILSON: We are interested in getting business done here. I am going to offer a motion, which is the one I intended to make in the first place, and one which is quite customary, and should be made before we get entangled in more formal procedure. It may not be strictly in accordance with Parliamentary Law, and I offer it as an independent motion, or it might be considered as an amendment to the motion now pending, and that is, I move you, Mr. Chairman, that the temporary organization shall be made permanent, which also has the effect of making the chairman pro tem permanent chairman and the temporary secretary permanent secretary.

MR. PARR: I second the motion that the temporary organization be made permanent.

CHAIRMAN PRO TEM SCHROEDER: Is there any discussion on this motion?

MR. STRONG: Question.

CHAIRMAN PRO TEM SCHROEDER: All in favor of the motion will respond by saying, "Aye;" Contary, "No."

Motion carried unanimously.

CHAIRMAN SCHROEDER: Gentlemen, I appreciate the honor, and I assure you that I will do everything I can that can be done. I am not afraid of the prospect of having to work with the United States Engineers, because I don't know a better group with which to work. If we, as representatives of our States, respectively, can help the Engineers, heaven knows we should do so. I think we should make up our minds that we have a job to do.

Before taking up anything further, I would like to make a few observations. This is an entirely new organization. I think we should have a vice chairman. It may not always be possible for the chairman to be present, although I hope he will be. He will be if it is at all physically possible, but there should be somebody designated to act in his absence. Then I think we should draft some by-laws by which our actions may be governed. So far as meeting is concerned, we could meet here today, discuss a lot of things, promise to do many things, and not have another meeting for a year. I believe the foremost object of this organization is to get things done, to act as quickly as possible on projects, and work on them, and that we cannot wait an entire year to have them reported on. I am in

favor, for the first six months, of meeting practically every month. Those are a few things to think about. I think we should have some stationery printed. There will be certain correspondence that will have to be carried on and this would identify us as an organization. I think that the delegates of each State should take it upon themselves for their States, respectively, to think about some sort of funds to take care of the various expenses which we will have. There will be the cost of paying the reporter, getting out the transcript and the proceedings, postage, and other incidental expenses.

MR. STRONG: In line with your first recommendation, Mr. Chairman, I would like to move the nomination of a vice chairman of this organization, and I so nominate Mr. Fred T. Schwob of Iowa.

MR. SIMON: I second the motion.

MR. WILSON: I move that the nominations be closed and the chairman cast one ballot for the election of Mr. Schwob to the office of <sup>vice</sup> chairman.

COL. HILL: I second the motion.

CHAIRMAN SCHROEDER: Any discussion?

(No discussion).

CHAIRMAN SCHROEDER: All in favor of the motion as made by Mr. Wilson signify by saying, "Aye;" Contary, "No."

Motion passed unanimously.

CHAIRMAN SCHROEDER: Mr. Fred T. Schwob of Iowa is declared elected as Vice Chairman of this organization.

(Whereupon Mr. Schwob came forward and occupied a chair at the officers table, and his election to the office of Vice Chairman was applauded by those present.)

CHAIRMAN SCHROEDER: I have two letters from Colonel Peil, which I shall read to you. They are as follows:

Exhibit "A"

War Department, United States Engineers Office,  
Clock Tower Building, Rock Island, Ill.  
25 January 1945

Mr. H. J. Schroeder,  
Upper Mississippi Water Use Council,  
Dubuque, Iowa.  
Dear Sir:

This office is presently engaged in a study, on a survey report scope basis, of the flood problems of the Sny basin in Calhoun, Pike, and Adams Counties, Illinois.

This study is now nearing completion, and it is believed that it would be advantageous to the Corps of Engineers and to the Illinois representatives of the Upper Mississippi Water Use Council to review the available material in order that we may have the benefit of the views and advice of the Council.

Yours very truly,  
(S) J. H. Peil,  
Lieut. Colonel, Corps of Engineers,  
District Engineer.

Exhibit "B"

War Department, United States Engineers Office,  
Clock Tower Building, Rock Island, Illinois.  
25 January 1945.

Mr. H. J. Schroeder, Chairman Pro Tempore,  
Upper Mississippi Water Use Council,  
Dubuque, Iowa.  
Dear Sir:

This office is presently engaged in a review of existing reports to determine whether or not there is justification for reconstruction of the Illinois and Mississippi Canal so as to provide an adequate interconnection between the 9-ft. channels of the Upper Mississippi and the Illinois Rivers. In addition to the restudy of the main line of the Canal, on a survey report scope basis, we are also directed to examine, on a preliminary survey basis, the Rock River below Janesville, Wisconsin, and the feeder canal between the Rock River at Sterling, Illinois, and the summit level of the main canal.

The analysis of the commercial benefits which the improved navigation facilities might bring to the States of Illinois, Iowa, Wisconsin, and Minnesota is a difficult and complex problem in the solution of which the Corps of Engineers would welcome the cooperation and assistance of the States involved. It is suggested that consideration be given to the appointment of a sub-committee consisting of the "Industry and Commerce" representatives of the above states to cooperate with the staff of the Rock Island District office in the study of the economic aspects of the projects.

Yours very truly, (S) J. H. Peil, Lieut Colonel,  
Corps of Engineers, District Engineer.

CHAIRMAN SCHROEDER: I also have a communication from one J. J. Scholer of Burlington, Iowa, in which he asks consideration of his opinions regarding Mississippi River Flood Control and proposed twelve foot channel. Inasmuch as we have not proceeded to the point with our organization where we can express an opinion or recommendation on his views, but after we have our by-laws prepared and committees set up this letter will be turned over to the proper group for handling.

At this time, it would be very fitting if Colonel Elliott would express his views as regards our Water Use Council - Colonel Elliott.

#### REMARKS

of

Colonel Malcolm Elliott,  
Division Engineer,  
Upper Mississippi Valley Division,  
St. Louis

COLONEL ELLIOTT: Mr. Chairman and Gentlemen: I think that the temporary organization which was formulated at Rock Island on the 19th of December has certainly come up today with very constructive action, and which I think will rebound to the benefit of your States, respectively. Certainly, I know, it is going to greatly facilitate the work of the Army Engineers, which, in this area, is under my supervision. It is regrettable that one State is not represented - Missouri - but I feel sure that that fine State will come in, in due time. I had a few notes, some remarks that I was going to make somewhat along the lines of those that your Chairman has just made regarding the organization, but since he has stated his ideas, which coincide with mine, I will not burden you with any material of that kind.

You are now organized and ready to function. In the matter of how you function, the procedure you follow, the set up, and just how the Council is going to be organized and conducted, as to those things, I think the Council is in need of a little more in the way of official backing. I think, if I might make the suggestion, that the State delegates here today should report back to their respective Governors the results of this meeting; and I should think that the Governors, or perhaps the Legislatures of the States, at their earliest opportunity, should take official cognizance of this Council, its duties and program, and, among other things, provide the funds for conducting it. It is not going to take very much in the way of funds - your president has mentioned that there will be some

expenses, and, as he says, it would seem to be better to have them provided officially by the States rather than to depend on the generosity of Chambers of Commerce, individuals, or other unofficial sources. It might be advisable for the Council to unite and get together on some kind of a recommendation for appropriate legislation to be presented for each State to take under consideration.

### Future

What about the future action of the Water Use Council, as you have already taken some action which is very constructive? You have received a letter from one of our District Engineer's in which he seeks your advice. I hope you will either by delegates, appropriate committees, or otherwise, respond to that request, and give Colonel Peil the advice which he seeks, or arrange to secure the advice of responsible spokesmen of the local interests, State interests, and community interests. His request, I would say, is common sense, but it has more than that behind it, because at the time the recent Flood Control Bill was enacted into law by Congress and approved by the President, December 22, last year, the enactment specifically provided that all of the Federal projects connected with navigation and flood control should be coordinated so that it will produce the maximum possible benefits to the localities in which they are located. Therefore, the Council should be of great service in assisting us to find out the facts with respect to how these projects are going to affect the people, and we will be able to give, I hope, intelligent consideration to all of the desired aspirations and plans of the local communities in formulating our Federal projects to the end that they will go along with the local projects and plans and not be hostile to them.

In pursuance of this latest Flood Control Act, the Chief Engineer, U. S. Army at Washington, has recently, under date of January 20th, addressed letters to the Governors of Wisconsin, Iowa, Indiana, and Minnesota, requesting comments on a report which has been made by the Board of Engineers for Rivers and Harbors of which I am a member, and which has to do with damages caused by the navigable pools. This survey report was made after extensive studies, and recommendation has been made for legislation by Congress which will reimburse the landowners along the river for damages, and which we think are incident to the establishment of those canalized waters.

The amounts recommended are as follows:

Minnesota.....	\$53,670.00
Wisconsin.....	32,610.00
Iowa.....	<u>7,600.00</u>

Making a total of \$93.880.00

I think it will be a very good thing if the Governors of those State, after considering this letter, which is now in their hands, would refer the matter to their respective State members of the Upper Mississippi Valley Water Use Council, and then seek their advice as to whether or not these findings by the Army Engineers are correct. I cite that as merely one instance in which the Council can be of service to us.

In one of Colonel Peil's letters he refers to the current survey and re-examination of the I. & M. Canal. The States mainly affected by that are the four upper States - Missouri is affected only in a very minor aspect, if it is affected. I think that we will be in great need of reliable, authentic study of what savings in transportation costs may be expected to accrue from the proposed modification of this project. This is a task on which I think this Water Use Council can engage itself, and furnish us very valuable assistance.

There will be a number of projects in which we are concerned coming up, and occasionally the interests of only one State are involved. In such cases, I believe it would be proper for the Water Use Council to delegate a committee consisting of members of the Council from that State to deal directly with the District Engineer's office and the Division office on projects of that kind.

I don't think we should attempt to visualize the entire effect of this concept of Interstate cooperation at this initial meeting. I don't think that you should try to accomplish too much this afternoon. Let us let this thing progress through a consideration of the points that have already been referred to, and see what success we have in disposing of them. See how this thing will work out, and expand your activities gradually, all to the end that the people will get the maximum benefits from Federal projects, and that Federal agencies will be assisted by the advice, counsel, and cooperation of responsible representatives of the areas in which they work.

I hope that the Council will see fit to serve in an advisory capacity whenever we ask their advice. We have in the past received quite a number of complaints. For example, there have been complaints with respect to the operation of navigation pools in the head-water reservoirs from people that are affected in one way or another. When such complaints are received, we would like to refer them to the Conservation Committee members where conservation is involved, or to the Water Use

Council when the matters are under its jurisdiction, . . . which committee, or the Council, could in turn secure expert advice from the State Conservation Engineers, and which advice could be furnished the Army Engineers. I am sure that the latter would be very pleased to follow such advice in so far as it would be practicable and still be able to accomplish the main measures assigned to them.

The matter of fish and wild life will probably be involved more frequently in the matter of conservation than anything else. In that science, we do not claim to be experts. We make no claim as to knowledge of the environment of fish and wild life. Our knowledge on that subject is very limited. For that reason, we seek and request the advice of conservation experts who form part of the membership of this Interstate Water Use Council. We not only are not qualified to initiate judgment on these matters, but we are not qualified to arbitrate the differences of opinion that occur between various people that claim to know all about such things--and we do get diametrically opposite opinions when that occurs. We would like to feel free to refer to the Conservation element of the Upper Mississippi Valley Water Use Council and procure a decision which we can use for our guidance. This is not an academic question that I am bringing up to you. We have had real perplexities in that regard, and there have been a number of instances where we have formulated our program in connection with State Conservation authorities, and we have been soundly and vociferously berated by organizations of one kind or another for having done so. Thus we have been in the unhappy situation of trying to do right, and, not knowing ourselves, have depended on somebody for advice and then having somebody else say that such advice was wrong. I think you will agree with me that that is not a good position for us to be in.

Again, Mr. Chairman, let me express to you my personal, and on behalf of the Department my official, wishes that this Water Use Council will have a very useful future. I am sure it will. (Applause).

CHAIRMAN SCHROEDER: Thank you, Colonel Elliott. I think we can well adopt Colonel Elliott's remarks as our textbook. Needless to say, we do have work to do, and I think we should naturally get right down to action.

MR. STRONG: I am a resident of Minneapolis. I am also Secretary of the Upper Mississippi River Valley Association, which organization is interested in the navigation of the river from St. Louis to Minneapolis. Our group is primarily interested in seeing that the water resources are properly utilized in the public benefit.

In this connection, I wish to present three points for consideration at this meeting, as follows:

1. As we all know a resolution was passed by the delegates from the five states at the meeting held in Rock Island, Illinois, on December 19th.

The first and most important consideration before the delegates at this time is to have the recommendation which was adopted at Rock Island validated by the five governors. Because of the splendid delegation here today it is evident that the governors of these five states see the necessity of cooperation in working out the many problems as they relate to the control and utilization of the waters of the upper Mississippi River and its tributaries in proportion to the related public benefits. A very serious responsibility now rests with this delegation.

The creation of this plan was motivated by the necessity of having greater cooperation between the Federal government and the various State agencies. In order for those members of this delegation who may not thoroughly understand the problems confronting the full development and maintenance of the water resources, it must be understood that the responsibility rests with the U. S. Corps of Engineers, and the Corps of Engineers is responsible to Congress in regard to the development and maintenance of these water resources, not only the projects already built or under construction, but those which are authorized for future construction and those for which examinations and surveys have already been made or authorized.

Congress recognizes the interests and rights of the States in determining the development of the watersheds within their borders. The U. S. Corps of Engineers and Congress are, of course, greatly interested in protecting to the fullest extent the established and potential uses for all purposes of the water resources. The Corps of Engineers has found during the many years of their operation of the rivers different interests who feel that each interest is not receiving the full advantage of the benefits of the Mississippi River and its tributaries.

That is the fundamental basic principle which motivated the plan for the Upper Mississippi Valley Water Use Council. To see that this plan is made workable is the responsibility of this delegation.

From time to time various State agencies and local organizations have protested to the Corps of Engineers against their plan of maintenance and development of our water resources. The Corps of Engineers representing the Federal government, as stated, are extremely desirous of protecting all of the various interests as they relate to the various public benefits of the States bordering the Mississippi River and its tributaries. This delegation, if organized to properly function, will not only be beneficial to the Federal government, but will be beneficial to the public interests in the working out of all of these various problems. It will give to the Corps of Engineers an opportunity to discuss means and procedures, and communicate their problems to the people through this organization so that the Federal and the States' interests may be coordinated to the best mutual advantage.

A great responsibility is placed upon each individual member of this delegation, for in validating this recommendation, it is important that each delegate appreciate the full responsibility of his appointment. It may be necessary for the various delegates to assume personal expenses and individual inconvenience in taking time to meet and discuss these problems. The water resources of the Mississippi River and its tributaries, if properly developed, will prove to be of the greatest economic benefit to these five states. It is, therefore, our first responsibility to see that this Council is put on a firm and sound basis, for the action we take here not only will affect the interests of the Upper Mississippi River, but its principles and policies, if made workable and effective, may be the adoption of a principle for the benefit of other water use resources in other parts of these United States.

2. One of the important matters which should be seriously considered at this time is the rehabilitation of the Illinois and Mississippi Canal (Hennepin Canal.) An order from the Rivers and Harbors Committee, House of Representatives, to the District Engineer, Corps of Engineers, Rock Island, has been given to make a survey which will cover both the physical and the economic aspects of the Hennepin Canal. The District Engineer at Rock Island advises us that the solution of the physical aspects of the problem and determination of the costs which may be involved present no unusual difficulties. One of the problems before the Corps of Engineers is the study of the economic aspects which are not so readily determinable.

As you know, when the Hennepin Canal is rehabilitated, it will shorten the distance from Minneapolis and St. Paul to Chicago 401 miles. The present means of going by water from Minneapolis and St. Paul to Chicago is down the Mississippi River to Grafton (the mouth of the Illinois River) up the Illinois River to Chicago, a distance of 962 miles. Besides being of great benefit to Minneapolis and St. Paul, the Hennepin Canal will also be of equal importance to the many important river communities, such as Stillwater, Red Wing, Winona, LaCrosse, Dubuque, Clinton, and the Tri-Cities of Moline, Davenport and Rock Island. By the use of the Hennepin Canal, the distance from Minneapolis and St. Paul to Chicago would be 561 miles, giving a water route not much longer than the average rail route connecting these two important large cities. The benefit would accrue not only to the cities of Chicago, Minneapolis, and St. Paul, but also to all river communities in Iowa, Wisconsin, Minnesota, and Illinois. A standardized Hennepin Canal would make greater and easier access to the important coal producing area of the State of Illinois, and give better facilities for this coal producing area to serve communities both on the Illinois River and Upper Mississippi River. It would greatly facilitate a large grain movement south and east into the Chicago port, and would result in additional and larger grain terminals. It would permit the movement of phosphorous rock for fertilizer to the important farming communities within the State of Illinois.

Therefore, I believe this Council should go on record as offering its assistance to the District Engineer at Rock Island in this economic study. For the information of the delegation, before an authorization is approved by Congress, careful scrutiny is given to the report of the Corps of Engineers as to the economic aspects of their authorization. At this time I will propose the following resolution and move its adoption by this group:

"Be It Resolved, That the Upper Mississippi Valley Water Use Council go on record for the approval of the early completion of the Illinois-Mississippi River Canal (Hennepin Canal) including the Sterling Feeder Canal, along such lines as will make it usable in the movement of barges ordinarily adaptable to the nine foot channels of the Illinois and Mississippi Rivers.  
Be It Further Resolved, That the Upper Mississippi Valley Water Use Council assist the District Engineer at Rock Island in the study of the economic aspects of the rehabilitation of the present canal of standardizing the water depths and the size of the locks to conform with those both of the Illinois and the Mississippi Rivers."

MR. TORKELSON: If I understood the proposed resolution, it proposes, in the first place, the approval of this canal; and, in the second places, it proposes a study of it. Those two things are exactly reversed.

MR. STRONG: I think you are probably correct.

MR. TORKELSON: This project may be very meritorious, and worthy of approval of this group, but there are a few of us who don't know anything about it. I, for one, know nothing about it except that there is a canal there, and it would seem to me to be a poor start for this committee to go on record as approving a project like that knowing very little about it. I can't see ourselves being rushed into a thing like that with such speed.

MR. STRONG: I think your suggestion is correct. I will propose the resolution this way then:

"BE IT, THEREFORE, RESOLVED, That the Upper Mississippi Valley Water Use Council assist the District Engineer at Rock Island in the study of the economic aspects of the rehabilitation of the present canal of standardizing the water depths and the size of the locks to conform with those of both the Illinois and the Mississippi Rivers; and to further advise with the District Engineers with respect to all other water resources as they relate to the various public benefits."

MR. TORKELSON: Isn't that entirely within the scope of our duties as set up without any specific resolution?

MR. STRONG: I stated earlier that the District Engineers have been told by Congress to make a study of this plan.

MR. TORKELSON: If I am not out of order, I would like to make a suggestion. The chairman, in his remarks, indicated that this group should be active and should hold meetings once a month. I think that it should be active, but I think that before our next meeting there should be some preparation made. Therefore, I would like to suggest that the chairman appoint a committee to be composed of one member from each State, including Missouri if its delegates are selected by that time, to meet at some convenient place to draw up suggestions with reference to By-laws and to formulate certain suggestions as regarding the future procedure of this body, so that when we meet again we will be in a position to go forward in an orderly manner and constructive way. I, therefore, move Mr. Chairman that we proceed as I have herein outlined.

MR. STRONG: I will withdraw the proposed resolution and it can be discussed later.

CHAIRMAN SCHROEDER: That is satisfactory. If you have any further remarks, you may proceed, Mr. Strong.

MR. STRONG: My third point is: one of the problems which is of great importance for consideration by the Upper Mississippi Valley Water Use Council is the assistance to the Corps of Engineers in the matter of protecting our water reservoirs and water sources.

In Northern Minnesota, in the year 1879, an authorization was created by Congress giving instructions to the Corps of Engineers for the control of the headwaters of the Mississippi River. As a result of this authorization many dams have been built in Northern Minnesota which affect the levels of many important lakes in that great-reservoir country of Northern Minnesota. Because of the effect of these lake levels, it is needless to say, this relates closely to the conservation problems of the State of Minnesota. In addition to the water reservoirs of the northern part of the State of Minnesota, there are the twenty-six artificially created lakes or pools by the building of the twenty-six locks and dams which form the canalized navigable Mississippi River north of St. Louis. The lower Mississippi and the Chain of Rocks maintain their water level for navigation by dredging and a stabilized flowage of water. Relative to the situation at the Chain of Rocks, the Corps of Engineers, after careful study, has proposed a plan to correct this hazardous bottleneck. We hear about the necessity of lowering our pools and drawing on our reservoirs for maintaining navigation at the Chain of Rocks to take down ocean going ships that are built on the Illinois River and other parts of the river. We are still maintaining navigation for a lot of commercial navigation, and the Upper River must, in my opinion, watch carefully in the future, and be in a position to say, "Well, you maintained it for ships in wartime and you can maintain it for us now." I think it is up to the area conservation interests to work seriously on this problem. It can be corrected if we can get the authorization to build a by-pass around the Chain of Rocks. There is no reason, in my opinion, that the Mississippi River up to Winona, Minnesota, cannot be kept open for navigation twelve months of the year. The Illinois River is in the same latitude and has as cold a climate. The early authorization and allocation of funds for the planned improvement at the Chain of Rocks is of utmost importance. This Council should adopt a resolution approving the early correction of the Chain of Rocks.

There have been times when it has been felt on the part of the States bordering the Upper Mississippi River and the reservoirs in the northern part of the State of Minnesota, that water resources and reservoirs have been used not to the benefit of the northern part of the river but to the full benefit of the river south of St. Louis. The Upper Mississippi Valley Water Use Council and its delegates from these five states should give careful scrutiny and study to this problem and protest against the lower river interests unduly and unfairly drawing upon our reservoirs to our disadvantage. The delegates at this conference should give study to see that our interests are equitably protected for all all public benefits as they relate to our water resources.

It is our opinion that these three matters are of extreme importance for this delegation to give careful and serious study to at this meeting. The primary purpose of this Council is to assist the Corps of Engineers and at the same time, take full consideration of all matters pertaining to the water resources as they relate to the various public benefits. (Applause)

CHAIRMAN SCHROEDER: Thank you, Mr. Strong. That resolves itself into an additional chapter in our textbook. I would say that Mr. Torkelson's points are well taken. The chair would like to entertain a motion with reference to the appointment of a committee to work up some by-laws. I think that is a primary prerequisite.

MR. TORKELSON: My suggestion also includes that a committee be formulated to recommend the procedure to be considered at the next meeting of the Council. Perhaps the same committee might handle both functions as they are closely related. I would make the appointment of such a committee a matter of a motion.

MR. WILSON: I second the motion.

CHAIRMAN SCHROEDER: Any discussion?

(No discussion.)

CHAIRMAN SCHROEDER: All in favor of the motion will respond by saying, "Aye"; Contrary, "No."

Motion passed without dissent.

CHAIRMAN SCHROEDER: It is difficult to appoint a committee without Missouri being represented, and I will reserve appointment of the committee to a later time, either at this meeting or a later date, and advise all concerned by letter, if necessary. If the Chair might suggest, possibly on this organization matter, we might want to appoint an executive committee with possibly a member from each State, which might act

rather than be required to call a meeting of the entire Council at any time. You have heard various suggestions, are there any comments?

MR. WILSON: I think that the program for future progress will have to be developed along the lines suggested by Mr. Torkelson if we are going to operate systematically and effectively. We have quite a little time remaining this afternoon, which we might well devote to some of the problems of immediate importance, some of which have been indicated by Colonel Elliott and some by Mr. Strong. But it seems to me that it would be advisable before we even attempt to discuss any specific problem to have an understanding as to the manner in which we are going to approach this program, and how we are going to make our work effective for the guidance of whatever committee may be appointed to formulate by-laws for procedure. Colonel Elliott suggested that it might be desirable to have some more specific legislative authorization for this body. Now, I don't know whether we in Minnesota have had any greater experience with these Interstate groups than other States or not, but by reason of our location near the Canadian boundary and with river boundaries on both sides of us, both to the east and west, we have frequently had occasion to engage in similar enterprises. I mentioned some of them in discussing this matter at the preliminary meeting at Rock Island, but there are some aspects of the different groups and activities in which we have participated that have a very direct bearing on the prospective procedure of this organization. As to which type of procedure would be best for us, we have operated both ways, that is, we have participated in Interstate and, in fact, in International organizations which have had statutory or even International Treaty standing; and we have also participated in Interstate activities which have been purely informal. It strikes me that practically every object of this organization can be accomplished effectively by the informal method without very much in the way of statutory authorization, except in so far as may be necessary to provide expense money - and perhaps we can get the expense money without bothering the legislature. I am speaking from the standpoint of a great many years of experience in public legislation and getting many things through the Legislature. No doubt the attitude of our Legislature reflects the trend of the Legislatures in other States. We have just had an interim legislative committee that reviewed the whole machinery of our State Government and recommended a great many consolidations and eliminations. I can say frankly that I think our Legislature would view with reluctance the idea of creating another official body although they certainly would give their hearty approval to this informal, coordinated activity and effort in which we are now engaged. We have had a formal body between Minnesota, North Dakota and South Dakota for many years, the Tri-State Water Commission, and it has

met and carried on some studies and negotiations in the solution of our common problems and those between our neighbors to the west and us. However, as I look over the situation I don't see a thing that was ever done by that Commission which necessitated the statutory authorization given it in the earlier years. As a matter of fact, it had never transacted a great deal of business until some particular occasion arose, as there did recently regarding a water pollution matter on the Red River to the North in connection with which the responsible State organizations, that is, our State Board of Health and the North Dakota Board of Health got busy and got together with each other. They laid all of the necessary groundwork, and then called in the Tri-State Water Commission to act as the official sponsor of an Interstate meeting, which could have been held just as well. I can see Mr. Whittaker smile a little bit because he is familiar with the entire procedure, and I am sure he appreciates what I am saying as he was instrumental in bringing about the progress we made in dealing with that problem.

As I see it, the function of this group will be purely advisory. We couldn't get legislative authorization for the formation of an Interstate body that could adopt some program and make it mandatory in anyway. The advice which is to be offered to the Corps of Engineers, or to any other Federal Agency concerned, may be given, I suppose, through our officers, the chairman or secretary, or both, in those cases where we all agree; and may also be given through our respective Governors in those cases where we are all agreed, and if there are cases where we are not agreed the Governor of each State will have to give his advice separately after consulting with his representatives on this Council. I believe that the new Rivers and Harbors Bill, which Colonel Elliott mentioned, contemplates that the Corps of Engineers shall deal with the Governors. Is that true Colonel Elliott?

COLONEL ELLIOTT: Yes.

MR. WILSON: The Corps of Engineers desires to have the advice it receives in the public interest reflected in the various projects to come through a single State authority, which is the highest executive of the State, and which is entirely proper. Therefore, the thing for us to do is to study the plans and reports of the Corps of Engineers, and the information pertinent to projects from all other available sources; and we should meet and discuss those things as they affect our mutual Interstate interests. If we are in agreement, we will adopt resolutions, but in most cases we will report back to our Governors the result of our mutual discussion, and it will be up to the Governor of each State to decide how far he wants to accept our recommendations. By following such procedure, we will accomplish a tremendous amount of benefit in the interchange of information, and a consider-

ation of all of the facts and circumstances as they bear on our common interests, that is, the common interests of the State members of this group. It, therefore, seems to me that we do not need much in the way of legislative recognition. All of the official recognition we need was given by the four States represented here by the Governors thereof in appointing their representatives, and I believe the Missouri appointment will be made soon as they have been consistent leaders in the conservation movement as well as in other matters bearing on the use of waters.

With regard to the payment of expenses, we have had an informal group operating for sometime past. The Conservation Survey Committee is an example of that. They have already been required to spend quite a lot of money, but it has been spent out of the appropriations of the respective State agencies to which they belong; and the Interstate Board of Health Committee has been following that method for many years. I don't think they ever had any statutory authorization. Have they Mr. Whittaker?

MR. WHITTAKER: Not so far as I know.

MR. WILSON: They have operated by this informal, cooperative method, each State contributing the expenses of its representative. We should not depend upon the good will of local groups or commercial interests to take care of our expenses, but I think we can take care of them by agreeing upon a certain amount of dues to be paid by each State. We are able to do that for Minnesota. The Attorney General of our State has already ruled that we are allowed money with which to pay dues to the various organizations to which we belong, but which have no statutory standing whatever. However, if it is necessary to go further than that and raise any substantial amount for annual dues or the support of our Interstate group, we might need to see that that is taken into account in our legislative appropriations so as to make sure that we will be able to make that contribution. I think that is about as far as we need go in the matter of legislative authorization.

With respect to setting up our working program, it seems to me the first thing we need is to have some indication from Colonel Elliott and his assistants whom he may delegate as to the projects which in their minds have priority. We may have some ideas about that ourselves. Some have already been suggested, but for the purpose of further discussion here it seems to me it would be desirable if we would ask Colonel Elliott to indicate briefly, or call upon others of his staff to do so, to indicate out of their program of projects, which were presented to us at Rock Island, the ones that are of greatest priority to them, and upon which they would desire advice first. Maybe it is the Hennepin Canal, perhaps it might be the Upper head waters, I don't know, but if we could have that indication then when the

Committee, to be appointed by the Chairman, meets to formulate by-laws and a working program, they can have that further guidance and we may be able here this afternoon to discuss some of those specific projects that are regarded first in order of importance.

COLONEL ELLIOTT: I am very much impressed with Mr. Wilson's remarks, and I feel that he has the right concept in his suggestion that legislative action be kept at a minimum.

With respect to our furnishing the Council with a list of the more important projects, I think we could promise to do that. The list will be formulated and communicated to you in writing. We are not allowed to take any official interest in any project as to which representation has not been authorized. We cannot go out and propagandize projects in anyway whatever even though we should see one that is very important. The only legal authority we have to make a report is an Act of Congress requiring the report; or in case the particular work in question is a modification of some previously adopted project the appropriate committee of Congress can write us a letter requesting a review of such report with a view to accomplishing such and such an objective. We have quite a number of those on file, and I think they cover most of the urgent needs with respect to navigation and flood control that we can now foresee. Some of those have been authorized. I am talking about the surveys, the investigations, and the reports. Some of those reports have been authorized and the funds have been provided to prepare them; others have been authorized but they are in the unhappy situation of being placed in a sort of postwar category, and the expenditure of funds has not yet been authorized. They are still on the books. Ordinarily the ones we will select as the most important ones will be those upon which surveys and examinations have been authorized, and on which we have been given the green light in so far as the expenditure of funds for pursuing the examination is concerned. In the very near future we will furnish you a list of those projects.

CHAIRMAN SCHROEDER: Thank you for your remarks Mr. Wilson, and you, too, for your explanation Colonel Elliott. As I understand you, Mr. Wilson, your suggestion is that we do not take any specific action until such time as our by-laws have been written up and we form a manner of procedure?

MR. WILSON: Yes.

CHAIRMAN SCHROEDER: This is organization day. So the chair will welcome any comments with regard to this matter of perfecting our organization.

MR. TARKELSON: Mr. Strong has expressed most forcibly the great responsibilities of this group, and I say that they are great. We have a canal across our State. If anybody had suggested improvements to it five years ago I would have turned thumbs down. Right now I am not so sure. But the weight of any recommendation made by this group will be dependent upon the information we have in making such recommendation. It may be that when we make a recommendation we will be called upon to defend it. In order to do that we must know something about it and make a study of it. My attitude concerning Mr. Strong's proposal was not in derogation of it, but simply I thought it would be a mistake to vote thereon in the light of our present knowledge. I would like to urge upon our chairman that he proceed with the appointment of four members of the committee and the fifth appointment can be made later. Those four can go to work, and by the time the fifth appointment is made it may be that we will already have some constructive work done and we will be that much ahead.

CHAIRMAN SCHROEDER: Thank you for the suggestion.

MR. WILSON: I think the suggestion is a good one. In order to save time and traveling expense, which are so important in these days of critical wartime, we can keep travel at a minimum, and I think a good deal of the work of the By-Laws Committee could be carried on by correspondence. We don't need complicated by-laws, and we can send the draft around to members of the committee and let them make their criticisms, exchange their views back and forth, and probably we can agree on a tentative set at least in that way.

CHAIRMAN SCHROEDER: I am perfectly willing to appoint four members of the committee: Colonel Hill from Illinois, Mr. Wilson of Minnesota, Mr. Schwob of Iowa, and Dr. Schneberger of Wisconsin, and a representative from Missouri will be added when we know who the representatives from that State will be.

Do I hear any motion so far as a Committee to contact the Governors with relation to any other mode of procedure, such as the payment of expenses is concerned, or shall we accept Mr. Wilson's suggestions?

MR. WILSON: I suppose there will have to be some action on that proposition. If provision is made in the by-laws for the collection of dues, payment of expenses, and so forth, we will have to have some understanding or estimate as to how much will be needed and then it will be up to the delegates from each State to take it up with their Governors to see that provision is made therefor. I think in most cases that the Governors can provide for it out of their contingent funds if the money is available somewhere else. Does anyone have any idea

of what the expenses will be? I think they will be nominal myself. While all members of the Council are not State officers, I feel certain that the Governors can provide for this matter either by their own official appropriation, or through the organizations which are concerned herein.

MR. STRONG: As I understand it, Colonel Elliott is to provide the Council with a list of projects which are of first consideration. Therefore, I believe it would be well to have in mind that we should arrange to have present at the meeting at which subjects are to be considered people who are well qualified to discuss the matters that are on our docket. In other words, if we have two or three subjects on the docket of a meeting, we should arrange to have the subjects presented by people who are qualified to give expert opinion on them.

CHAIRMAN SCHROEDER: That is a very good suggestion. Yes, there are a number of projects, and, of course, it is the wish of the Council that we do not take specific action today on any particular problem; and we are to await submission by the Engineers of certain projects. We don't need to wait for the by-laws for that. We can invite study on projects right now, or any time between now and our next meeting. As I understand it these projects when submitted will be studied at the next meeting following their submission, or as soon thereafter as possible, and then when they are up for consideration people familiar with the particular project will address us, whether they happen to be members of the Council or not. Is that the consensus of opinion?

MR. PARR: Yes.

MR. SIMON: ON this matter of expenses, while they will not be a large sum, yet there will have to be provision made to pay reporter and transcript fee, printing of stationery, and other incidental expenses.

MOTION: MR. SCHWOB: I think the best way for this to be handled would be for the secretary to also act as treasurer, and when we know what the expenses are each State can pay its fair share.

I, therefore, Move, Mr. Chairman, that the Secretary be also designated as Treasurer, and when he and the chairman know what fund will be required that it be divided proportionately among the member States, and that we, as delegates can arrange with our States, through our Governors, to take care of each State's share.

MR. SIMON: I second the motion.

CHAIRMAN SCHROEDER: Any further discussion on this matter?

(No further discussion.)

CHAIRMAN SCHROEDER: All in favor of the motion will respond by saying, "Aye", Contrary, "No."

Motion passed without dissent.

CHAIRMAN SCHROEDER: Perhaps we should have some idea as to when we should have our next meeting.

MR. WILSON: How soon do you think you will have an outline of any project?

COLONEL ELLIOTT: I think we can furnish that within a week.

MR. WILSON: Is there any project on which immediate action is required?

COLONEL PEIL: The report of the Hennepin Canal is not due in the immediate future, but we are working on it. However, we have the funds to go ahead with the study.

MR. WILSON: You wouldn't have a complete picture to submit to the Council for its consideration until your investigation is completed?

COLONEL ELLIOTT: He will need help in evaluating the project and working out economics on it, and will ask you to do work on that.

MR. STRONG: I think we should consider the location of the various delegates, particularly during these times of restricted transportation and crowded hotel accommodations. Dubuque is very well located, of course; and at some future time I would like to have you meet in Minneapolis, perhaps it would be better at sometime to meet in Chicago. I think, however, in view of the outline of the work and the attitudes expressed here today, I believe we should hold a meeting at any event early in March.

DR. SCHNEBERGER: Hotel accommodations are very important. We have had excellent hotel accommodations here, both for this meeting and the conference of the Conservation Committee today. At this time I would favor meeting in Dubuque.

MR. WILSON: I think Dubuque is the better place to meet during the war, and particularly while our Legislatures are in session.

MR. STRONG: I move that the Chairman designate that the meeting be held about the middle of March, at a time when it will be convenient for the Committee on By-Laws to have a report ready for action at said meeting.

DR. SCHNEBERGER: I second that motion.

CHAIRMAN SCHROEDER: Any discussion?

(No discussion).

CHAIRMAN SCHROEDER: All in favor of the motion will respond by saying, "Aye"; Contrary, "no."

Motion passed without dissent.

CHAIRMAN SCHROEDER: I will set March 9th as the date of our next meeting.

DR. SCHNEBERGER: I would like to make a comment with respect to the Conservation interests. I believe we have the machinery pretty well organized for the Upper Mississippi River Conservation Committee, and the members report to their respective administrative offices. In our office, we serve on both committees. The original thought in formulating the Conservation Committee was to carry on joint research as post war planning. However, circumstances forced us into a little earlier start because there is a certain amount of detail data we needed before that. I visualize the plan of the Conservation Committee as being a permanent organization, which will serve as a fact finding body only, thus permitting the biologists and scientists on the project free to devote their time to the studies that have to be made and to fact finding functions. I believe if that thought can be kept in the Conservation Committee it will help the Committee immeasurably in its future planning and enable it to keep going. We are working, of course, under the handicap of restricted personnel and trained men, and if and when we can get them remains to be seen. I think that where certain complaints are registered, and investigations are to be made by the Army Engineers, we welcome an opportunity to work together on such projects. An example of this, there was a complaint came in from the Prairie DuChien-McGregor, Iowa District. Technical men from our committee investigated the matter with the Army Engineers, upon their investigation, and I believe the result was very satisfactory.

COLONEL BARNES: It was, and I appreciate it very much.

DR. SCHNEBERGER: We would like to maintain that relationship.

MR. SIMON: You will recall that you appointed a committee from the delegates of the four States represented here to draft by-laws, but I am not sure if a chairman of said committee was named. So that the committee can get into immediate action, I would suggest that a chairman be named.

CHAIRMAN SCHROEDER: Thank you, Mr. Simon. I will name Mr. Wilson as chairman of that Committee. I trust that the committee will get together as promptly as possible and work up some by-laws to govern the procedure of our Council. Is there any further business to come before this organization meeting?

(There was none).

COLONEL HILL: I move we adjourn.

MR. SIMON: I second the motion.

CHAIRMAN SCHROEDER: All in favor of the motion will respond by saying, "Aye;" Contrary, "no."

Motion passed without dissent.

Whereupon the organization meeting of the Upper Mississippi Valley Water Use Council adjourned at 4:00 P.M.

NOTE: The Committee on By-laws held its committee meeting immediately following adjournment.

Carl V. Riley,  
Court Reporter,  
Dubuque, Iowa,  
Official Reporter of Organization  
Meeting Proceedings.

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