



Subcommittee on Water
Chair: Jason Olive (AR)
Vice-Chair: Jon Sjöberg (NV)

March 10, 2020
08:00 am to 10:00 am
Grand Central Ballroom A&B

Proposed Agenda:

08:00 AM Call to Order and Introductions *Jason Olive, AR*
Review Minutes from September 2019 Meeting and Call Notes

- Instream Flow Council (IFC) biennial meeting is next month and Directors encouraged to have their staff attend
- Center for Instream Flow- discussed on January call, and in more depth later in today's agenda
- April call planned – NFHP, WADE, CHAT databases to have a webinar

08:20 AM FWCA Working Group Update *Jen Sheehan, AR*

- Surveys have been completed
- Significant issues noted
- Working group formed to determine needed improvements in execution and methods to obtain such improvements
 - 10 states – Need to add AZ
 - Recommendations so far
 - Do not revisit FWCA language through legislative process
 - Add FWCA to all state comment letters – 1st paragraph should include authority
 - Working group to produce guidance document
 - Educate state F&W agencies on FWCA
 - All 50 states are aware of existing materials
 - Funding source to reimburse states for FWCA needs to be explored
 - USACOE pays the USFWS for coordination
 - Recommend creation of AFWA Committee on state agency environmental review
 - AR is giving a presentation at the State Wetland Coordinators Meeting to spark education materials
 - Final recommendations to be presented at September SOW meeting, then forwarded to FWRPC following SOW approval

08:35 AM Government Affairs Update *David Lind, AFWA/All*

- Appropriations- FY 20

- Permanent enactment of PR-MOD
- \$437M increase for Department of Interior, includes:
 - \$24M increase in USGS
 - \$67.5 increase in State Wildlife Grants
 - \$46M for NAWCF
 - \$1.2 M for Aquatic Animal Drug Approval Program
- FY2021
 - Federal capacity for Fish and Aquatic Conservation
 - Funding for AIS
 - State programs for LWCF – Great American Outdoors Act for both LWCF and Parks
 - Regional associations providing their own testimony during this budget process
 - Expect markups in early spring
- President’s Proposed FY21 Budget
 - \$12.7 billion cut for DOI, including \$240M decrease for USFWS and \$230M decrease for USGS
- NEPA
 - Repeal and replace regulations not connected to infrastructure
 - Reworking current language- very confusing
 - Updates significance determination
 - Replaces intensity with degree of the effects
 - Removes consideration of cumulative impacts
 - Removes indirect effects from effects or impacts
 - Removes alternative analyses
 - Expands categorical exclusion
 - Encourages agencies to use other adopted CE’s
 - Authorizes agencies apply mitigation to reduce extraordinary circumstances
 - Changes the funding amount for significance
 - Deletes existing requirement for alternatives to be considered
 - AFWA’s Legal staff are drafting and submitting comments
 - AFS and TWS are sending a joint letter
 - Some states are commenting as well
- PFAS
 - 30 bills to limit use or ban use
 - Contentious negotiations for FY2021 budget and National Defenses Authorization Act (NDAA) riders
 - Trying to ban under Superfund and stripped out with NDAA
- Regulatory Streamlining- (WOTUS, 401, etc.)
 - WOTUS
 - Defines navigable waters
 - Will change scope
 - No ephemeral streams
 - Removes significant nexus test
 - Lakes, ponds and impoundments must meet flow requirements
 - Clarifies excluded waters not under CWA jurisdiction

- CWA Sec. 401
 - Proposal would alter EPA regulations for state and tribal implementation
 - Currently strong deference to states/tribes
 - EPA directed to develop 401 rule in consultation with states, local governments, and tribes
- WRDA
 - Renewed every two years
 - Some hearings completed and member proposals submitted
 - Research and response for HABS and AIS included as of now
 - Need to look at soft engineering/green infrastructure
 - Specific requests are put into AFWA letter
 - Legislative proposal for AIS detection and response

09:00 AM Update on MSCG Program Status and AFWA Strategic Plan *David Lind, AFWA*

- Connection between MSCG's and AFWA Strategic Plan being emphasized
- Working on new scoring criteria
- More funds available for MSCG's due to budgeting
- Unclear at this time how priorities will be set- Directors are discussing at this conference
- No set timeline, trying to roll out ASAP
- Strategic Plan
 - A number of writing groups working with contracted consultants on plan with input from Committees last September
 - At AFWA leadership and at EXCOM levels now
 - Online form to solicit input from AFWA committee members, partner organizations, industry and NGO's
 - Will be ready for adoption at Annual Meeting

09:10 AM USGS Integrated Drought Science Plan *Melanie Steinkamp, USGS*

- Interstate Council on Water Policy (ICWP) letter for additional USGS gaging support is ready to go and AFWA will sign on
 - FY2021 budget is unclear at this point on funding level for gages
- USGS Gaging GAP analysis is needed and has not been done since 2013
 - Subcommittee supports
 - WRDA or infrastructure bills could be a place for language
- Integrated Drought Science Plan initiated in 2017 – Handouts including PPT
 - Goal – Integrated ecohydrological system including headwaters
 - Developing new novel monitoring methods and identifying focal areas for pilot testing
 - Want to move into the terrestrial systems to understand interdependence
 - Pilot Basins started in FY2018 and selected with following criteria
 - SGCN
 - Logistics
 - Existing work
 - Added the Delaware River basin in 2019

- Need to add stream temperature to gap analysis
 - In Michigan it is commonly being added
 - In AR, very few stream gages with temperature
 - Inexpensive to add
- IFC workshop on drought in 2018- presentations available online
 - All presentations recorded
 - Used by colleagues in UK as well as around North America

09:30 AM Development of Center for Excellence for Instream Flow and Water Levels Training for Fish and Wildlife Professionals- First Step *Jason Olive, AR*

- Historical Background on USFWS/USGS Instream Flow Program/Training previously located in Fort Collins, CO (Gary Whelan)
 - Had both a research and training program
 - Disappeared with retirements and reallocation of resources within federal agencies
- Steering Committee has been formed to initiate discussion on the need for a new center and determine level of support from state and federal agencies
 - IFC and AFS representation on steering committee
 - Working session planned for AFS Annual Conference in Columbus (8/31)
 - All day event (with a break during the conference plenary session)
 - Morning sessions will focus on the historical background, and afternoon sessions will focus on how to proceed from here
 - Fish Chiefs and other agency senior staff are the target audience of the working session, but all who are interested in instream flow and water levels are encouraged to attend
 - Key discussion topics include:
 - How to fund a new center
 - How to rebuild the capacity that has been lost
 - Developing a plan of action
 - The following day a plan will be developed by steering committee members
 - A workshop or symposium will be planned for the 2021 AFS meeting as a follow-up

09:45 AM Actions for FWRPC/Reminder of April Call/Adjourn *Jason Olive, AR*

- Reminder of April 28/29 Workshop on all data sources – WADE, CHAT, NFHP, etc.
- Google Drive location is fully set up - <https://drive.google.com/drive/folders/1bRxYoZ1WyxzRwi7lqnHara30YiL1kTD0>
- Minutes should go to FWRPC for full distribution
 - Formal approval of Fall meeting minutes – (Jon S. moved, Gary W. seconded – Approved)

Committee Charge:

Focus Areas and Goals:

1. Identify, support, and communicate science, legal, policy and public involvement issues related to water that are of importance to fish and wildlife.
2. Support and build on recommendations from AFWA Drought Forum.