

**SUBCOMMITTEE ON WATER**  
**Chair: Jason Olive (Arkansas)**  
**Vice-Chair: Jon Sjoberg (Nevada)**  
**Date: September 9, 2020**  
**Time: 1PM – 3:00 CST**

**110<sup>th</sup> Association of Fish & Wildlife Agencies Annual Meeting Virtual**

**Committee Charge:** Identify, support, and communicate science, legal, policy and public involvement issues related to water that are of importance to fish and wildlife; and to support and build on recommendations from AFWA Drought Forum.

**Agenda**

1:00 Call to Order/Review Agenda

1:05 Introductions

- Attendees were asked to type their name and affiliation in the Chat box.

1:10 Approval of Minutes for the 2020 North American Meeting

- Gary Whelan motioned to Approve, and Jon Sjoberg seconded- Motion Carried

1:15 Water Database Webinar Recap & Next Steps – *C. Estes, Life Member / Jason Olive, AR*

- Included water source, uses and decision support data presentations by the Western States Water Council (WSWC) Water Data Exchange (WaDE), Internet of Water (IoW), Western Association of Fish & Wildlife Agencies (WAFWA) Crucial Habitat Assessment Tool (CHAT), National Fish Habitat Partnership (NFHP) Data Assessment, U.S. Geological Survey, and Interstate Council on Water Policy (ICWP).
- Bringing all of these groups together for the first time lead to improved collaboration and synergy towards making water data more widely available, and increased consideration of fish, wildlife, and habitat water needs and uses. It also brought awareness that fish and wildlife agencies also generate water quality and quantity data.
- Had great participation from SOW and FWRPC membership
- The webinar recording and all supplemental materials are on the SOW website portal
  - [https://drive.google.com/drive/folders/1UCWCgV0vfXizhiqcC\\_hH2BRutEaUHfHL?usp=sharing](https://drive.google.com/drive/folders/1UCWCgV0vfXizhiqcC_hH2BRutEaUHfHL?usp=sharing)
- The key next step that was identified and discussed was to attempt to sync these data sources, which will require getting spatial scales of each to work together
- Next steps to build on this effort- identified by Christopher Estes
  - Continued communication among these groups
  - NFHP identified 19 federal agencies with water responsibilities – included in a table in the 2012 NFHP Action Plan
    - A similar matrix should be developed for non-federal water data entities
  - Christopher Estes volunteered to lead the effort of developing the matrix
    - The suggestion was made to check with Internet of Water first to see if they have already compiled this information
    - Jon Sjoberg, Cindy Loeffler, and Gary Whelan volunteered to assist with this effort
    - Sue Lowry, Executive Director of ICWP, indicated that she would assist as well

1:40 FWCA Next Steps – *Jen Sheehan, AR*

- Underuse of FWCA by both state and federal agencies was a key result of the survey conducted by SOW a couple of years ago
- Ad Hoc Committee was formed to determine the next steps for SOW to take in improving use of FWCA by member agencies
  - Recommendations similar to last meeting
    - Do not attempt to revisit the current statute
    - Make sure member agencies are aware of FWCA and how to use it
    - Determine what education materials are available, and develop new ones if adequate ones are not already available
      - Options include printed materials and workshops
      - Jen has funds in her agency budget to get started on this
      - Craig Johnson (NOAA retired) has been contacted about training opportunities and using his materials for state training
      - Wetland managers will be contacted as well
    - FWCA is supposed to provide a funding source to provide funds back to states for actions taken under FWCA
      - USFWS being provided funds by USACOE
      - There is a way for states to be reimbursed, but it is not being used currently
    - A new AFWA Committee addressing environmental reviews, including FWCA
      - Key to ensure Directors are engaged
      - Wildlife and Energy Policy Committee is likely to have overlap
      - Much discussion ensued about whether this should start as Subcommittee or a work group that bridges multiple existing committees like the Bird-Fish Conflict Workgroup
      - Additional discussion regarding the scope of this group's focus

1:55 Government Affairs Update – *David Lind, AFWA*

- Legislative Update
  - Congress is on recess until this week
  - Current Highway Bill expires on September 30
    - Competing bills were passed and there will not be an extension to complete
  - COVID19 relief bill is pending
  - Great American Outdoors Act – includes permanent authorization for LWCF, was enacted and signed
    - Sec Order 3383 – Task Force to implement GAOA coming
  - ACE – HR925
    - Passed Senate with some amendments and ready for House action with a few more changes expected
  - RAWA
    - Video update is still available
    - Need a Senate lead and movement
    - Part of HR2 at this time
  - State Infrastructure
    - Green locations are in high demand at this time
    - Maintenance demand increasing and state budgets are stressed

- Dams need work along with a range of recreation access items
    - Maybe federal support in the future
  - Administration Items
    - NOAA and USFWS habitat definition commented on by AFWA and state agencies
    - Expansion of hunting and fishing opportunities on USFWS lands, AFWA submitted letter of appreciation
- Appropriations for FY 21
  - House is nearly finished
    - Advocating for increased USGS Gaging and Modeling funding
  - Senate holdup is not due to policy
    - Disagreement on scope
    - A Continuing Resolution is likely coming
  - Dingell-Johnson reauthorization was passed by the House in Transportation Bill
    - Senate moved, passed committee and it is currently sitting in Transportation Bill
- WRDA – Needs to be addressed by the end of the year
  - Passed on House side
    - \$10 million not in for AIS yet
  - Senate version – Passed through committee and awaiting Transportation Bill
  - Partnership Agreement issues for perpetual maintenance and indemnification
- Regulatory Streamlining (WOTUS, 401) – Clean Water Act
  - WOTUS
    - AFWA comments submitted
    - Requested increased clarity for definitions of tributaries, ditches, wet lakes and ponds
    - Final rule had little change from original proposal
      - Definitions of ditches and impoundments – simplified connections
      - Adjacent wetlands defined
    - Litigation in progress
      - Challenges to the 2015 rule by some states have been thrown out
  - Section 401
    - Narrowed scope, conditions and time
    - Final rule this year
    - Litigation pending under court rulings – time allotment is a major issue
- A request was made to have the Government Affairs report posted to the SOW webpage
- AFS Policy Update – Drue Winters (AFS Policy Director)
  - Comment letters were submitted on WOTUS and the ESA habitat definition
  - AFS will be releasing a new Climate Change Policy statement on 9/18
    - Collaboration between science societies on policy on 9/23
  - New AFS policy statement on marine aquaculture is available on AFS website

2:15 IFC/AFS Instream Flow & Water Level Conservation Training Center Planning Update – *C. Estes, Life Member*

- The charge for this group is to determine if there is a need for a new instream flow and water level conservation training center for the next generation. Currently, there is no consistent source of training available to fish and wildlife agencies and other water stakeholders, and no central clearinghouse for this information. The last of the students to complete training at the original training center finished in the early 2000's, and will be retiring soon.
- A workshop was planned for the AFS Annual Meeting last month, but was cancelled due to the conference going virtual only
- IFC and AFS submitted a proposal for a MSCG to fund the creation of a business plan for this effort
  - Final MSCG decision will be made next week
- Steering Committee to develop a business plan to get idea funded by end of 2021
  - A workshop is being planned for the 2021 AFS Meeting in Baltimore where the draft business plan will be presented and input will be sought from attendees to further inform final curriculum

2:25 Update on USGS Gaging Gap Analysis and Funding – *C. Estes, Life Member*

- Gaging analysis for all 50 states needed once every 5 years
  - Reached out to Chad Waggoner and Mindy Dalton at USGS
  - New USGS Strategic Plan is being developed that will have this item in it
- USGS is currently only performing a gap analysis on a few select watersheds on a regional level
- USGS staff are interested in effort for a national analysis
- USGS has some additional funding in the coming fiscal year, but we're not seeing much for new allocations to gaging
  - Multiple people commented that the trend in their states has been toward fewer gages
  - Some increases in MI gages due to special projects to support groundwater withdrawal tool but losses in overall network
    - Some increases to support National Weather Service needs – typically crest gages
  - Nebraska has seen no changes in gages
    - Partner agreements – 65-35% for all parts of the operation with partners taking the higher percentage
      - Cost estimates are unclear on what they actually cover, creating issues of support
      - Need a breakdown on costs from USGS
  - AK – Interagency hydrology group meets each year – No changes seen
    - Look at USGS State of the Art Tool discussion from August webinar
  - Christopher requested information from SOW members on annual gage operations and total numbers installed

2:35 Website Update – *Jason Olive, AR*

- David has added some agendas and minutes from previous SOW meetings to the SOW webpage
- Jason has set up two Google Drive folders
  - One is for committee members only, and Jason must approve access
  - The other is for the August webinar that is open to anyone who has the link
- Provide items to Jason to add to the committee folder or the SOW webpage

2:45 Discuss SOW Priorities, Operations & Next Meeting – *Jason Olive, AR / Jon Sjoberg, NV*

- Next meeting will be held at the NAWNRC in March 2021, hopefully in person
- Jason will work with other related committees to invite their chairs and have them provide input
- FWCA recommendations are nearing completion and ready to move for action
- Water data coordination webinar is completed
  - Matrix update in March 2021
- USGS Gaging Station Webinar would be a good idea and was suggested

2:55 Action Items and Meeting Wrap – *Jason Olive, AR*

3:00 Adjourn

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