



ASSOCIATION of
FISH & WILDLIFE
AGENCIES

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

September 23, 2019
10:00 am to 12:00 pm
Offsite: St. Paul Athletic Club: Oak Room

Proposed Agenda:

- 10:00 AM** Call to Order and Introductions *Jason Olive, AR*
Review Agenda/Approval of Minutes
from March 2019 Meeting
- March 5, 2019 Minutes – Review – Same as Chris’ – Whelan and Lott - Approved
 - Agenda approved
- 10:10 AM** CHAT, WADE, NFHP Database Coordination *Gary Whelan, MI*
- Started the coordination with CHAT and WADE staff
 - Large task that is going to require a focused intensive effort based on initial recon
 - At least the spatial framework is similar with issues 1:24,000 movement
 - Another report in the spring
- 10:20 AM** Internet of Water Update *Cindy Loeffler, TX*
- Take all water data and put it into a compactible format
 - Philanthropic foundation funds are assisting effort
 - George Mitchell Foundation – Inventor of fracking
 - US Water Alliance
 - Utilities, NGOs, agencies
 - Environmental to domestic engineering to water quality
 - Summary report forthcoming along with One Water
 - Extreme events are driving issues – CA data standards, TX new resources for floods
 - One Water – multiple summits – Break down silos between users and all areas with water
 - AIS indirectly a part of the effort
 - Broad geographic range
 - Aging infrastructure
 - Milwaukee – May 2020 is next summit
 - Listening session in DC
- 10:30 AM** EPA Office of R&D Update - PPT will be sent out to Subcommittee
Bill Fisher, EPA
- Now a member and joining subcommittee
 - 11 facilities as Grosse Ile and Las Vegas are closed
 - Broad range of responsibilities
 - Characterizing chemical hazards – 80K untested

- Model organisms and In vitro work used
- Ecological risk assessment
- Pop modeling for risk assessment – Model organisms in same group and biochemistry
- Tools
 - Ecotox – provides information on all tests done based on species input
 - Web-ICE – Acute tox estimator
 - AOP-Wiki – IDs toxicity pathways from event to population
 - SeqAPASS – Genomic structure
- Surface Water Quality
 - NARS – 1000 sites (EMAP) – Probabilistic design
 - Quality and quantity – A range of items from pH to nutrients
 - Link watersheds to water quality on a national scale
 - 378K lakes and 2.6 million stream segments estimated for water quality
- Nitrogen and hypoxia
 - Gulf of Mexico dead zone
 - Nitrate in drinking water
 - Costs of excess nitrogen
- HABs
 - Cyanobacteria
 - Becoming more frequent
 - CyAn Habs reporting
 - Early bloom detection with satellite
 - Can detect blooms 2 days before
- Coastal Acidification
 - In estuaries – National Estuary Programs – 9 have equipment
 - pH measures coming across the board
 - No baseline is available
- AIS
 - Early indicators
 - eDNA bar coding
- Coral Reefs
 - Biocriteria to protect reefs
- Trout and Salmon
 - Estimate future stream temperatures
 - Explore preemptive measures to mitigate rising temperatures
 - Cooler water refugia id
- Ecosystem Goods and Services
 - Production functions
 - Final Ecosystem Good and Services Classification System
 - EGS/FEGS in multiple locations for various ecosystem attributes
 - EGS/FEGS tradeoff analysis
- Rapid Benefit Indicators
 - What is really good in an area
 - Watershed Optimization Tool



- Web-based tool
- Does not monetize benefits
- National Estuary Program – 25+
 - Significant estuaries to put into stakeholder hands
 - Voluntary management tool
 - Key decision locations
- PFAS research ended about 5-10 years ago but has been restarted
- Heavy metals emphasis under current administration with Superfund site focus
- Desalination Plants are becoming an issue in TX – Discharge into estuaries
- State engagement
 - More emphasis on state
 - ROCKSMIT – Regions identify scientists in area for states to bring into labs
 - RARE Projects – ORD to Regions
 - Semi-annual meetings with “Ecosimavirus” to inform research direction
 - Starting to ask state partners for research questions
- Funding
- KS
 - Hydrogen peroxide to stop HABs
 - Tried sonic equipment to treat HAB unsuccessfully
 - Subsidized CAR removals

10:45 AM FWCA Next Steps

Jen Sheehan, AR

- FWCA Survey – Jen Sheehan’s job – PR/DJ funded 50:50
- Develop educational materials to help staff
- Expressed amending FWCA to show roles – Suggested do not amend
- States should tell federal government what coordination looks like
- USFWS manual is a good starting point
- Need to create a document to help states on coordination – Key committee
 - Guidance needed
- USACOE is unaware of how contacts to states are actually under FWCA
 - Interactions vary over time
- States should add in any response letter to federal projects that we are commenting under FWCA
- NEPA = FWCA interpretation assumption
 - Not clear how the states recommendations have to be included
 - Unless TES species may not being considered as agency
- USFWS – Need best practices document
 - NEPA
 - FWCA Coordination
 - Need a few meetings per year to understand needs and expectations
- Transfer funding requirement to support activities
 - Share of funding between state and USFWS
 - River Basins were the initial mechanisms



- Survey
 - 26 responses
 - Familiarity – 90%
 - Historical relationship – about 90%
 - Most only did NEPA or EIS – 54%
 - Consultation not done – 75%
 - No funding transfer – 90%
 - Equal consideration – 60% not
 - Interactions with federal agencies – some favorable
 - Most indicated if FWCA fully done with NEPA – Better responses
 - Amendment – 65% to clarify roles to force USACOE to require interaction
 - WRDA is best avenue
- Subcommittee will develop a workgroup to develop education materials with note from Jason to kickoff

11:00 AM Government Affairs Update

Devin DeMario, AFWA/All

- Appropriations
 - Still no federal budget – Continuing resolution in progress and likely passed before Oct 1 to November 21
 - House has passed some and Senate subcommittee will release their bill today
 - \$3.48 billion and over current budget but less than House mark
 - All cuts rejected
 - Full markup on Thursday
 - NOAA - \$75 billion but less than House
 - National Flood Insurance will be extended in House
- WRDA
 - Specific project requests made to Fish Chiefs
 - Up in 2020
 - Directs USACOE operations with natural resources items, i.e. AIS
 - Senate is looking for base language- send requests to Devin by September 30
 - House – Jan/Feb
- PFAS
 - Policy is out pacing science
 - 5000+ substances
 - Congress is pushing EPA
 - Are we getting pressure to deal with advisories without funding?
 - Research funding to examine PFAS for policy development
 - PFAS under statute for Superfund triggers
- Regulatory Streamlining
 - WOTUS – AFWA submitted comments on Step 2 on time
 - Repeal is completed
 - Awaiting new guidelines using 2008

11:15 AM CWA 401 Proposed Rule Changes

Devin DeMario, AFWA/All



- August 22 rule was posted
 - o Comments due by October
- Formal comments to make an action here
 - o Cindy drafted the discussion item
 - o Cooperative Federalism at risk – Unclear on whether includes water quantity
 - o Changes
 - Scope change to point source discharge
 - Timing of review and length of time not to exceed 1 year
 - Issues with applicant giving need information
 - Seven items submitted starts clock
 - Cannot withdraw application
 - Fewer options for action
 - Veto level is at federal level – Cannot deny at state level
 - o Split among circuit courts and will likely go to Supreme Court
 - Legal committee may look to submit amicus brief
 - o AFS will be submitting comments
 - o Western Governors Association will do a joint letter for a number of entities
 - o Motion – Recommendation to the full committee for AFWA to submit a comment letter concerning the 401 rule change and for AFWA to investigate other opportunities to engage in the process such as the WGA letter. – Cindy and Gary - Passed

11:45 AM Discuss SOW Priorities and Operations *Jason Olive, AR/
Jon Sjöberg, NV*

11:55 AM Meeting Wrap/Adjourn *Jason Olive, AR*

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.