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
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/1bRxYoZJ1WyxzRwI7lqnHara30YiL1kTD0
- 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.