

National Fish Habitat Virtual Board Meeting

Tuesday, June 13, 2023 from 1:00 – 5:00 PM ET

Zoom link: <https://fishwildlife-org.zoom.us/j/86561769103?pwd=d1gzQnc1MEtLNi9wL2dwSHpoNXN1dz09>

	Last Name	First Name	Present?
1	Allen	Stan	X
2	Austen	Doug	X
3	Booth/Batten	Austin/Ben	X
4	Boyles	Robert	X
5	Cantrell	Chris	X
6	Eischeid	Ted	X
7	Gilliland	Gene	X
8	Guertin	Steve	X
9	Conley/Harper	Kimberly/Rob	X
10	Kinsinger/Beard	Anne/Doug	X
11	Kruse	Carter	-
12	LeCoq	John	X
13	Leonard/Chester	Mike/Annie	-
14	Linnell	Karen	X
15	Moore	Chris	X
16	Moore	Bryan	X
17	Rivers	Pat	-
18	Perry	Steve	X
19	Plumer	Christy	X
20	Rauch/Robinson	Sam/Carrie	X
21	Ringia	Adam	X
22	Rivers	Pat	-
23	Schaeffer	Timothy D.	X
24	Singler	Amy	X
25	Trushenski	Jesse	X

Other Attendees:

- Jason Olive (NFHP Staff)
- Alex Atkinson (NFHP Staff)
- Ryan Roberts (NFHP Staff)
- Kate Sherman (NFHP Staff)
- Gary Whelan (NFHP Staff)
- Daniel Wieferich (NFHP Staff)
- Mark Humpert (AFWA)
- Benton Pang
- Steve Krentz (USFWS)
- Max Calloway (PLCI)
- Eric MacMillan (USFWS)
- Shannon Boyle (USFWS)
- Christopher Estes
- Todd Ewing (SARP)
- Doug Nygren (RFHP)
- Gordon Smith (Hawaii FHP)
- Lori Maloney (EBTJV)
- Therese Thompson (WNTI)
- Joe Nohner (MGLP)
- Jennifer Graves (DFHP)
- Sara Strassman (DARE FHP)
- Jessica Hogrefe (USFWS)
- Michael Daigneault (USFWS)

Approved By Motion:

- June 2023 Meeting Agenda – approved by consensus.
- February Meeting Summary – approved by consensus.
- FY2024 Fish Habitat Conservation Project List – motion by Steve Perry, second by Karen Linnell.
- Move into Executive session to discuss candidates for corporate industry board seat: motion by Steve Perry, second by Karen Linnell.
- Move out of Executive session: motion by Chris Moore, second Chris Cantrell.
- FHP Congressional Designation Form and Timeline – motion by Chris Moore, second by Steve Perry.

Meeting Summary:

Time (PM ET)	Agenda Item	Board Tab	Lead(s)
1:00	<p>Welcome & Attendance <i>Desired outcomes:</i></p> <ul style="list-style-type: none"> • Welcome new Board members. • Board action to approve the June meeting agenda. • Board action to approve the February meeting summary. 	Tab 1	<p>Robert Boyles (<i>Association of Fish and Wildlife Agencies, Board Chair</i>) & Board Staff</p>
<p>The meeting began by the Chairman calling the meeting to order and the staff taking attendance. The Board went around and introduced themselves to the newest Board member, Amy Singler. Amy Singler, who is in a joint position between The Nature Conservancy and American Rivers, highlighted her focus on dam removal and culvert replacement work in the northeastern US. She is based in western Massachusetts. The Board also welcomed the new USFWS NFHP Program Coordinator, Jason Olive, and noted Gary Whelan’s recent retirement from Michigan DNR. The Board unanimously approved the meeting agenda and February meeting summary.</p>			
1:10	<p>Board Reminders & Resources <i>Desired outcomes:</i></p> <ul style="list-style-type: none"> • Board awareness of NFHP calendar June & July. • Board awareness of recent orientations. • Board awareness of plans for December 5-7 Board Meeting & December 4-5 FHP workshop. 	Tab 2	<p>Alex Atkinson (<i>NOAA Fisheries, Board Staff</i>) & Ryan Roberts (<i>AFWA, Board Staff</i>)</p>

Alex Atkinson, Board staff (NOAA Fisheries), reviewed recently completed FHP and new Board member orientations and directed Board members to check out the NFHP YouTube page since the FHP coordinator orientation was recorded. Alex acknowledged the large contribution from existing FHP coordinators to the new FHP coordinator orientation to make it a very useful and information-filled webinar. The upcoming monthly FHP calls were highlighted coming up on June 28 and July 12 and reminded the Board to check out the online NFHP calendar. The next Board meeting will be held virtually on September 12 from 1-5 PM ET. Ryan Roberts, Board staff (AFWA), reviewed the plans for the in-person NFHP Board meeting and FHP workshop in December 2023. The FHP workshop will be held December 4-5 (half day on December 5) and the Board meeting will be held December 5-7 at a hotel in Charleston, SC. We hope to get to take advantage of SC DNR facilities and boats to tour a SARP oyster restoration site. It was noted that the December Board meeting overlaps with the National Assembly of Sportsmen’s Caucus and it would be useful to distribute the agenda soon so Board members can plan accordingly.

1:15	<p>USFWS Update <i>Desired outcomes:</i></p> <ul style="list-style-type: none"> • Board awareness of USFWS new hires. • Board awareness of FY23 funding status & BIL funding. 	<p>Steve Guertin (<i>USFWS, Board member</i>)</p>
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Steve Guertin introduced the USFWS new hire as the NFHP coordinator, Jason Olive, who comes from the Arkansas Game and Fish Commission where he was Fisheries Division Chief. Jason has a wealth of fisheries biology experience and is active in the American Fisheries Society and Association of Fish and Wildlife Agencies. Steve also shared the status of the NFHP budget indicating that the FY23 funding (\$7.2M in total - \$6M in support of FHP projects, \$1.3M for USFWS support) has been allocated to the regions who are working with FHPs to provide technical assistance and get projects up and running. For FY24, Steve indicated that the USFWS requested a \$500K increase for a total NFHP budget request of \$7.7M. Given the recent Fiscal Responsibility Act of 2023, we may see a tightening of Federal budgets and are likely to see a continuing resolution at FY23 funding levels.

Finally, Steve turned things over to Shannon Boyle who presented on the Interagency Fish Passage Task Force which aims to coordinate 13 Federal agency partners engaged in fish passage work to maximize conservation outcomes. The Task Force has a variety of tasks underway and plans on having a second fish passage partner workshop on October 10-11, 2023 in Denver, Colorado following up on the summer 2022 meeting at the National Conservation Training Center. There was Board member discussion about the opportunity we have to fund Fish Habitat Partnership projects with these new federal funds. The Board was also reminded that applications (for some Federal agency funding) must come in through a competitive Notice of Funding Opportunity (NOFO) and agencies are working to share with FHPs how to apply so NOFOs can be shared with NFHP partners. A Board member also raised a question about the Waters of The United States rule which removes protections for wetlands. It was noted to add some time to the next Board meeting to share the Department of Interior Solicitor General’s interpretation of this rule and how it could impact NFHP.

1:35

NOAA Fisheries Update

Desired outcomes:

- **Board awareness** of NOAA Fisheries’ FY23 BIL & NFHP funding.

Sam Rauch (NOAA Fisheries, Board member) & **Carrie Robinson** (NOAA Fisheries Office of Habitat Conservation Director)

Sam Rauch began by saying that NOAA is excited to share updates with the Board. Since 2019, NOAA has offered dedicated funding to NFHP projects that improve habitats and engage recreational anglers. Carrie Robinson, Director of NOAA Fisheries Office of Habitat Conservation, presented this year’s NFHP projects selected for funding that included four projects:

- Community based coral restoration in West Oahu in the Hawaii Fish Habitat Partnership;
- Sea grass restoration in areas damaged by boats in the Florida Keys in the Atlantic Coastal Fish Habitat Partnership;
- Stream bank restoration with anglers in two popular trout and salmon fishing rivers near Anchorage in the Kenai Peninsula Fish Habitat Partnership and the Mat Su Salmon Habitat Partnership; and
- Stream bank restoration and angler outreach working with the City and Borough of Juneau in the Southeast Alaska Fish Habitat Partnership.

Carrie also shared a presentation with the Board about NOAA’s Bipartisan Infrastructure Law (BIL) funding thus far and upcoming opportunities to apply for funding. Between BIL and the Inflation Reduction Act (IRA), NOAA will award over \$1.3B over the next 5 years. In FY22, NOAA awarded BIL funding via four different competitions: fish passage, Tribal fish passage, transformational habitat work, and underserved communities. A NFHP project in the Mat Su Salmon Habitat Partnership was selected for funding under the first round of BIL funding via the Tribal Fish Passage Opportunity – the Chickaloon Village Tribal Council will receive \$1.9M to remove fish barriers, increase the knowledge and capacity of tribal staff members, and facilitate a Mat-Su fish passage working group. NOAA has been gathering lessons learned from entities and encouraging all applicants who were not selected for funding to request a feedback meeting.

2:05

Board Vote on FY24 FHP Funding

Desired outcomes:

- **Board vote** on the FY24 Fish Habitat Conservation Project proposals presented by the Board review team leads.

Tab 3

Stan Allen (Pacific States Marine Fisheries Commission, NFHP Partnerships Committee Co-Chair) & **Bryan Moore** (Trout Unlimited, NFHP Partnerships Committee Co-Chair)

Stan Allen presented the FY24 Fish Habitat Conservation funding recommendation on behalf of the Board review team. Stan reminded the Board of the ACE Act requirements and deadlines and thanked the members of this year’s Board review team including: Stan Allen, Bryan Moore, Carter Kruse, Pat Rivers, Adam Ringia, Steve Perry, Jesse Trushenski, and Gary Whelan. This group formed two small groups and scored 12-13 FHPs each and developed three tiers of FHP funding allocations based on the FHP scores. FHPs were scored on the “hard” and “soft” ACE Act criteria, justification for operational funds, and their overall application. New this year, all of the FHPs received a report card with their

scores in each category along with reviewer comments. The three funding tiers are: \$300K, \$200K, and \$85K and the 132 proposed FHP projects are matched by almost \$20M in non-federal funds. Stan also shared the details of the Board operations proposal and the request for funding to support the NFHP assessment (total \$509,174).

The Board review team recommends that the Board put forward 134 Fish Habitat Conservation projects totaling \$8.6M plus the \$509,174 for Board operations and assessment for review by the Secretary of Interior.

The Board had a brief discussion about the feedback that Board members have heard from FHPs about the process and many noted how the review process went smoothly this year thanks to the new features of the NFHP Project Tracking Database and dashboard that Board reviewers used to carry out their reviews. Several FHPs did not have a coordinator during the time of project submission so Kate Sherman (PSMFC), Board staff, worked with those FHPs to get their proposed projects entered. Other feedback included the challenge posed by the long time lag between proposing projects and receiving funding, a need for increased transparency in the scoring and tier development process, and FHP Coordinators noted that receiving the specific scoring rubric before this fall for the FY25 funding process would be more helpful so they can tailor their requests for proposals to address those scoring criteria. Finally, there was discussion about the overall proportion of science-focused projects versus on the ground restoration projects.

The Board approved the motion to submit the FY24 Recommended Project list, as presented by Stan, to the Secretary of Interior by July 1.

2:30 **Board Vote on Corporate Industry Seat *in Executive Session***

Robert Boyles (*Association of Fish and Wildlife Agencies, Board Chair*)

Desired outcomes:

- Board will break into executive session.
- **Board vote** to select a candidate to fill the corporate industry Board member seat.

The Board members moved into executive session to discuss the candidates for the corporate industry seat. When the Board resumed public session, they voted to select Mr. Jake Slager of Coca Cola Company to join the NFHP Board.

2:45 – 2:55 BREAK

3:00 **ACE Act Implementation Status Update**

Ryan Roberts (*Association of Fish and Wildlife Agencies, Board Staff*)

Desired outcomes:

- **Board awareness** of the status of ACE Act implementation.

- **Board discussion** about budget and scientific and technical assistance funds.

Ryan Roberts (AFWA), Board staff, shared a presentation with the Board about the status of implementing the provisions of the ACE Act since it was signed into law in 2020. He reviewed all of the NFHP provisions and noted which have or are being completed and which have not yet been completed or have been an implementation challenge. The Board has successfully completed or made progress on ACE Act sections 203-205 and 209. The Interagency Operational Plan (IOP) and the funding authorization sections (sections 208 and 212) are two that remain not yet fully implemented.

Part of the discussion focused on the scientific and technical assistance funding (\$400K) that is authorized to five Federal agencies (USFWS, USGS, NOAA, EPA, and USFS) in the ACE Act and whether the Federal agencies have been including the request in their annual budget requests. The USFWS has included the \$400k in their annual budget request, and uses those funds to provide technical support to the FHPs. Other federal agencies noted that they have been providing in-kind support that likely totals more than the \$400K authorized in the ACE Act, but the funding has not been included in NOAA or USGS recent budget requests. There was also a caution against requesting a very detailed accounting of Federal agency contributions since that could jeopardize future funding if it were to exceed the authorized amount in the ACE Act. However, it was noted that assessments of in-kind contributions from Federal agencies would be useful for the Policy Committee as we near reauthorization of the ACE Act.

The Board discussed whether the non-federal Board members would support sending a letter from the Board Chair asking that Congress fully fund NFHP (including the \$400K) as has been done by previous NFHP Chairs. The non-federal members of the Board supported continuing to make this request via letter from the NFHP Chair to the appropriate Congressional committees.

Board Committee Updates

3:30	<p>Science & Data Committee <i>Desired outcomes:</i></p> <ul style="list-style-type: none"> • Board awareness of the 2025 National Fish Habitat Assessment progress. • Board awareness of the Project Tracking Database updates. 	Tab 4	<p>Gary Whelan (<i>Board Staff, Science and Data Committee Co-Chair</i>), Daniel Wieferich (<i>USGS, Board Staff, Science and Data Committee Co-Chair</i>), & Kate Sherman (<i>Pacific States Marine Fisheries Commission, Board Staff</i>)</p>
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Gary Whelan, co-chair of the Science and Data Committee, shared that the committee is currently scoping three options for completing the updated 2025 National Habitat Assessment, as required by the ACE Act. The three options include various updates to the 2015 assessment and the committee plans to share work plans for each option to the Board for comment later this summer (August). The Board will then select their preferred option for implementation at the September 12 virtual Board meeting. Gary also outlined estimated funding requirements for completing the assessment including

\$175K for two years to support 1.5 FTEs (post-doc or GIS specialist and a GIS tech). The source of these funds has yet to be identified.

Kate Sherman, Board staff, presented the latest upgrades to the NFHP Project Tracking System including a form for FHPs to enter their FY24 proposed projects and a password protected dashboard where the Board Review Team was able to review all the FY24 FHP-submitted proposed projects. The committee is working on a public-facing dashboard that will feature much of the FHP project information. FHP projects are continuing to be migrated from the old database and are being QA/QC'd. Board level projects will also be added to the new database including the Bass Pro Shops funded work, NOAA Recreational Fishing NFHP projects, and projects supported by Beyond the Pond.

3:50 **Policy Committee**
Desired outcomes:

- **Board awareness** of timelines for ACE Act and re-authorization.

Tim Schaeffer (*PA Fish & Boat Commission, NFHP Policy Committee Chair*)

Tim Schaeffer, Policy Committee Chair, shared that the Policy Committee is seeking a new Board member to join the committee. They are also seeking a FHP representative to serve as an ad-hoc non-voting member. He also highlighted that the Policy Committee is working to meet with Congressional Committee staff to confirm the path forward to get the FHPs designated by Congress. This effort is being coordinated with the Partnerships Committee who is developing the FHP form template and process timeline in order to meet the 2025 deadline.

Christy Plumer, Policy Committee member, reported that there are a couple of changes occurring on Capitol Hill that impact the ACE Act Committees of jurisdiction. The senior staff of the House Natural Resources Committee, Kiel Weaver is departing, Senate Environment and Public Works (EPW) Committee Chair, Senator Tom Carper (DE), has announced his retirement, and Senator Sheldon Whitehouse (RI) is slated to be the next EPW Committee Chair or Ranking Member. This will likely mean that members of the Policy Committee will look to have meetings with these new members and staff to educate them about NFHP and the upcoming reauthorization.

4:10 **Partnerships Committee**
Desired outcomes:

- **Board vote** on the process and form for Congressional designation for FHPs.
- **Board awareness and discussion** of the FHP & Board Member Buddy System.

Tab 5 **Stan Allen** (*Turner Enterprises, Partnerships Committee Board member*) & **Joe Nohner** (*MGLP Coordinator, NFHP Partnerships Committee Co-Chair*)

Stan Allen presented the recommended timeline for Congressional FHP designation to accompany the FHP form for the Board's consideration and vote. The Partnerships Committee is collaborating with the Policy Committee regarding the submission to Congress. The timeline begins in June 2023 and

FHPs are to draft and submit the Congressional designation form to the Board by December 31, 2023. The Board will provide feedback on the draft application and then FHPs have until June 1, 2024 to submit their final application for Congressional designation.

Joe Nohner presented the concept of a “buddy system” to the Board for their feedback and consideration. This system would pair FHPs with Board members based on geography and expertise and serve to build mutual relationship between FHPs and the Board. The relationship would be flexible based on each Board member. FHP coordinators and Board members shared their support for this concept and the Partnerships Committee will be further scoping it in advance of the next Board meeting.

4:30 **Governance Committee**

Desired outcomes:

- **Board awareness** of the draft Board policy and attorney questions list.

Doug Austen (AFS, NFHP)
Governance Committee Chair

Doug Austen presented a brief update from the Governance Committee. The Committee does not yet have bylaws drafted for Board review but will share them prior to the September Board meeting. The Committee is also preparing a list of questions to send to the attorney advisory team and is helping to strategically frame those questions. The Committee is also seeking a FHP liaison representative to serve as an ad-hoc, non-voting member.

4:50 **Communications Committee**

Desired outcomes:

- **Board awareness** of upcoming NFHP communications products.
- **Board awareness** of website and social media analytics.

Tab 6 **Johnny LeCoq** (Fishpond, NFHP)
Communications Committee Chair

Johnny LeCoq presented a brief update from the Communications Committee that included a list of recently completed (Communications Strategy, Logo Guidance) and in-progress (new infographic, 2022 Annual Report) products; and that the Committee will be opening the 2023 Waters To Watch campaign to FHP nominations very soon. He also highlighted social media and newsletter analytics.

5:00 **Adjourn**