

NATIONAL FISH HABITAT PARTNERSHIP



Meeting of the National Fish Habitat Board
Hosted by: The Nature Conservancy (Arlington, VA)

Meeting Book for The
National Fish Habitat Board

March 8-9, 2016

National Fish Habitat Board Executive Session: A 10 Year Look Back - and Look Ahead

March 8, 2016 (9:00 AM-12:00 PM)

Purpose: NFHP has been in existence for 10 years, so we want to take some time to discuss where we've been and where we're headed. Is our vision still relevant, or do we need to reassess for the next decade? We'll start from how the Board currently operates and interacts, and ask if the existing structures and processes will meet our needs going forward. All Board members, both old and new, should have a common understanding of and support for how the Board will move forward over the next 10 years.

Format:

- This session is open to Board members and Board staff, only. This session is closed to the public.
- The Board will be presented with a series of topics; each topic will be introduced with a summary of the current Board process, which will be followed by one or more questions to spark discussion.
- Staff should be prepared to provide informed answers based on historic conversation, Board approved documents, etc.
- A facilitator will be present to ensure focused and productive conversation.
- Board members are encouraged to provide input and ask additional questions pertaining to the topic. The goal is to have an open and honest discussion.
- If the Board does not arrive at a clear answer to any discussion question, then we may need to develop action items for future discussion.
- The session is composed of three parts:
 - **PART I: Board General Purpose and Operation (9:00– 10:00A)**
 - **PART II: Legislation (10:00 – 10:30A)**
 - **PART III: Board and FHPs (10:40A – 12:00P)**

DISCUSSION QUESTIONS

PART I: General Board Function and Operation (9:00– 10:00A)

Executive Session (ES) Tabs 2-4

Topic 1: National Fish Habitat Partnership (NFHP) mission.

Background: What is the current NFHP Mission and what was it developed to address?

Discussion: Is the current NFHP mission still relevant today? If not, why not, and how should the mission be amended?

Topic 2: Board Purpose.

Background: What was the National Fish Habitat Partnership Board (Board) originally charged with? Why does it exist?

Discussion: Given the NFHP mission (and its accompanying goals and objectives), what is the Board's purpose over the next 10 years?

Topic 3: Board Membership.

Background: Who makes up the Board? How are members appointed and how long do they serve? What are their responsibilities?

Discussion: Does the current membership support accomplishing the Board's purpose? Does the current Member appointment process and terms result in an effective Board? If not, what changes should be made?

Topic 4: Board Committees and Working Groups.

Background: What Board committees and working groups are in existence and what is their purpose?

Discussion: Are the committees and working groups fulfilling their purpose? Are they still relevant? If not, what changes should be made?

Topic 5: Board Staff.

Background: What was the original Board staffing plan and what is it now? What does the Board require from its staff?

Discussion: Is the current Board staff meeting the needs of the Board and the Fish Habitat Partnerships (FHPs)? If not, what changes are needed?

Topic 6: Board Funding.

Background: How is the Board funded? How has that funding been allocated over the past 10 years?

Discussion: What fiscal resources does the Board need to conduct its business? Are current funding sources sufficient? If not, where can additional funding be obtained? If no additional funding is obtained, how should funds be allocated?

PART II: Legislation (10:00 – 10:30A)

Executive Session (ES) Tab 5

Topic 7: New NFHP legislation

Background: What is in the current National Fish Habitat Conservation Through Partnerships Act, particularly with respect to Board function? What is the status of the legislation? What are its future prospects?

Discussion: How will the new legislation help achieve the NFHP mission? How will it affect the Board? How will it affect federal agencies or other specific Board members?

Break (10:30 – 10:40A)

PART III: The Board and the FHPs (10:40A – 12:00P)

Topic 8: Purpose and role of FHPs.

Background: What is the purpose of the FHPs? What roles are the FHPs fulfilling in the conservation community?

Discussion: How are the Partnerships performing in the conservation community?

Topic 9: Relationship between Board and FHPs.

Background: What is the current relationship between the Board and the FHPs? What commitments has the Board made to the FHPs? What commitments have the FHPs made to the Board?

Discussion: Is the current Board/FHP relationship achieving the NFHP mission? Is each side fulfilling its commitments? If not, what changes should be made?

Topic 10: New FHPs.

Background: How many FHPs are there and how did we get to that number? What are the requirements and process for becoming a FHP? What new FHPs are being proposed?

Discussion: What are the consequences of a growing number of FHPs? Do additional FHPs help achieve the NFHP mission? How should the Board and Board staff respond to inquiries about forming new FHPs?

Topic 11: The NFHP 501(c)(3).

Background: What is the 501(c)(3) and what is its purpose? What is the relationship between the 501(c)(3), the Board, and the FHPs?

Question: Does the current relationship between the Board, the 501(c)(3), and the FHPs support the NFHP mission?

Topic 12: Marketing and Branding.

Background: What is the current branding and marketing direction? How important is branding and marketing to the Board and the FHPs?

Question: Has the current branding and marketing direction been effective? Does it need adjustment?

Final Discussion Topic - What do the next 10 years look like?

NFHP Board Membership (January 2016)

Last Name	First Name	Organization	Representing	Next Review
Aarrestad	Peter	CT Department of Energy and Environmental Protection	State Agency - NEAFWA	July 2018
Allen	Stan	Pacific States Marine Fisheries Commission	At large- Commercial fishing	June 2016
Andrews	Michael	The Nature Conservancy	At large - Conservation	June 2016
Beard	Doug	US Geological Survey	Federal Agency	July 2018
Bigford	Tom	American Fisheries Society	American Fisheries Society	July 2018
Boyd	Douglass	Sportfishing and Boating Partnership Council	At large- Sportfishing	July 2017
Champeau	Tom	FL Fish and Wildlife Conservation Commission	State Agency	July 2018
Fosburgh	Whit	Theodore Roosevelt Conservation Partnership	At large- Sportfishing	July 2017
Gilinsky	Ellen	US Environmental Protection Agency	Federal Agency	June 2016
Harper	Rob	USDA Forest Service	Federal Agency	July 2018
Leonard	Mike	American Sportfishing Association	At large-Sportfishing	June 2016
Melinchuk	Ross	Texas Parks and Wildlife Department	State Agency - SEAFWA	July 2018
Moore	Chris	Mid-Atlantic Fishery Management Council	At large- Commercial fishing	October 2016
Myers	Kelley	IA Department of Natural Resources Fisheries Bureau	State Agency - MAFWA	July 2018
Schriever	Ed	Idaho Department of Fish and Game	State Agency - WAFWA	July 2018
Skates	Ron	Native American Fish and Wildlife Society	Tribal	July 2018
Stone	Sean	Coastal Conservation Association	At large - Sportfishing	July 2017
Wood	Chris	Trout Unlimited	At large - Conservation	July 2017
NA		National Fish and Wildlife Foundation	National Fish and Wildlife Foundation	July 2015
Board members serving by virtue of their offices				
Ashe	Dan	US Fish and Wildlife Service	Federal Agency	
Rauch	Sam	NOAA Fisheries Service	Federal Agency	
Regan	Ron	Association of Fish and Wildlife Agencies	AFWA – Executive Director	

National Fish Habitat Board (NFHB) Committees: Purpose and Membership**Communications Committee**

The Communications Committee's role is to support the partnership by sustaining critical communications needs and initiatives. The Communications Committee plays an essential role in crafting the messages that raise awareness about the partnership and help build a community of support for fish habitat conservation.

Members:

Lindsay Gardner – SARP
Ryan Roberts – AFWA/NFHB staff
Debbie Hart – SEAK FHP
Jim Harper – NOAA contract
Cecilia Lewis – USFWS/NFHB staff
Joe Starinchak – USFWS
Mike Leonard – ASA/NFHB Member

Science and Data Committee

The Science and Data Committee's purpose is to provide scientific and data management expertise and oversight to advance the goals and objectives of the National Fish Habitat Board in a scientifically sound and strategic manner.

Members:

Jose Barrios – USFWS
Jennifer Bayer – USGS
Timothy Birdsong – TX PWD/SARP
Robin Carlson – PSMFC/CFPF
Mary Davis – SIFN/SARP
Nicole Eiden – AZ G&F
Pam Fuller – USGS
Daniel Isaak – USFS
Pete Jacobson – MN DNR
Jeff Kopaska – IA DNR
Thom Litts – GA DNR
Jonathan Mawdsley – AFWA
James McKenna, Jr. – USGS
Moe Nelson – NOAA-NOS
Doug Norton – EPA
Criag Paukert – USGS
Cecil Rich – USFWS
Bruce Vogt – NOAA-NMFS

Committee Technical Advisors

Christopher Estes – Chalk Board Enterprise LCC
Jonathan Higgins - TNC
Kay McGraw – NOAA-NMFS
Priya Nanjappa - AFWA
Scott Sowa - TNC

Board Liaison

Doug Beard – USGS/NFHB Member

Marine Assessment Team Lead

Kristan Blackhart – NOAA contract

Inland Assessment Team Lead

Dana Infante – MI State University

Co-Chairs

Gary Whelan – MI DNR
Peter Ruhl – USGS

Partnerships Committee

The Partnerships Committee serves as a forum for preliminary discussions, fact-finding, and formulating recommendations for Board actions that affect Fish Habitat Partnerships.

Members:

David Wigglesworth – USFWS	<i>Chairs</i>
Heidi Keuler – USFWS/FFP	Stan Allen – PSMFC/NFHB Member
Jeff Boxrucker – Reservoir FHP	Steve Perry - EBTJV
Lisa Havel – ACFHP	
Scott Robinson - SARP	
Kayla Barrett – USFWS/Desert FHP	

Executive Leadership Team

Members of the National Fish Habitat Board are appointed by the Executive Leadership Team (ELT), which has final responsibility for appointment and, if necessary, removal of all Board members, except those serving by virtue of their office.

Members:

President and Executive Director of the Association of Fish and Wildlife Agencies
Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration
Director of the Fish and Wildlife Service, Department of the Interior

FHP Performance Evaluation Review Team (2015)

Purpose is to conduct a review of FHP Performance Evaluation submissions and provide findings to the Board.

Members:

Tom Champeau – FWCC/NFHB Member
Stan Allen – PSMFC/NFHB Member
Doug Austen – AFS
Peter Ruhl – USGS/NFHB staff
Gary Whelan – MI DNR/NFHB staff
Emily Greene – NOAA contract/ NFHB staff

NFHP Legislative Team

The primary focus of the NFHP Legislative Team is to push for passage of National Fish Habitat Conservation Act legislation.

Members:

Steve Moyer – TU/Fund BOD/Past NFHB Proxy
Mike Leonard – ASA/NFHB Member
Jen Mock Schaeffer – AFWA
Gary Kania – Congressional Sportsman Foundation (contributor)
Steve Kline – TRCP/NFHB Member Proxy

Marketing Team

Charged with leading the creation of an educational and outreach campaign to raise awareness of the critically important aquatic habitat conservation work being implemented through the National Fish Habitat Partnership.

Members:

Joe Starinchak – USFWS
Therese Thompson – WNTI
Kelly Hepler – SD GFP/Fund BOD
Johnny LeCoq - Fishpond
Eli Gerson – Design and Image
Ryan Roberts – AFWA/Board staff

Related National Fish Habitat Partnership Groups: Purpose and Membership

Federal Caucus

Several federal agencies contribute to the work of the Partnership, not just the agencies that are represented on the Board. The Federal Caucus was created in 2005 to facilitate interaction among federal agencies.

Members:

Bureau of Reclamation – Arthur Coykendall, Cathy Cunningham
Bureau of Ocean Energy Management- Megan Davidson, Jake Levenson
Bureau of Land Management – David Hu
Environmental Protection Agency – Doug Norton
Forest Service – Nathaniel Gillespie, John Rothlisberger, Dan Shively
National Park Service – Alan Ellsworth, John Wullschleger
NOAA Fisheries – Emily Greene (contract)
US Department of Agriculture – Craig Goodwin, David Hoge
US Fish and Wildlife Service – Cecilia Lewis, Susan Wells, Jason Goldberg, Steven Krentz, Callie McMunigal, Gordon Smith
US Geological Survey – Andrea Ostroff
US Army Corps of Engineers – David Smith

NFHP Coalition

The Partner Coalition serves as an outlet for information-sharing on priorities, projects, and successes, while helping the Board to build a grassroots network of support for fish habitat conservation. The Coalition consists of individuals and organizations who sign up through the web site (fishhabitat.org).



Board Member Guide

A Manual for
Members of the
National Fish Habitat Board

Updated 2015

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Introduction

Congratulations on your appointment to the National Fish Habitat Board. This manual provides background for you in your role as a Board member, and includes the Board's charter and useful definitions in the appendix.

The 22-member Board was established to promote, oversee and coordinate the National Fish Habitat Partnership (Partnership) and implementation of the National Fish Habitat Action Plan (Plan). You will serve alongside aquatic conservation leaders from across the United States. The Board includes members from federal, state and tribal governments as well as conservation organizations and industry.

This Board sets priorities in line with the Action Plan, makes decisions on budgets, approves and guides Fish Habitat Partnerships, develops national measures of success and evaluation criteria for partnerships, and reports to Congress, states, and other partners on the status and accomplishments of the Partnership. The Board is supported by staff and committees.

Membership on the Board marks you and your organization as a leader in fish habitat conservation, and gives you an opportunity to contribute to the Partnership's vision of "healthy habitats, healthy fish, healthy people, and healthy economies". Your work with the Board and the Partnership will have an impact on aquatic habitats in our country for generations to come.

Sincerely,

Kelly Hepler

HISTORY OF THE NATIONAL FISH HABITAT PARTNERSHIP

Determined to reverse the declines of America's fish habitats, leaders from state and federal agencies, tribes, foundations, conservation and angling groups, businesses and industries joined together to create the National Fish Habitat Action Plan (Plan). The approach is similar to the effort undertaken for waterfowl and their habitat in the 1980s through the North American Waterfowl Management Plan.

Development of the Plan began in 2001 when an *ad hoc* group of fisheries interests, led by the Sport Fishing and Boating Partnership Council, explored the concept of developing a partnership for fish habitat. The effort built momentum in 2003 when the Association of Fish and Wildlife Agencies issued an endorsement and agreed to take a leadership role. The Association appointed a diverse work group that drafted the Plan in 2005-06. The Plan was signed on April 24, 2006 by the Secretaries of Interior and Commerce and the President and Executive Director of the Association.

In September 2006, the National Fish Habitat Board held its inaugural meeting and approved its charter under the chairmanship of John Cooper (South Dakota Department of Game, Fish and Parks). In subsequent meetings, the Board developed policies and guidance for Fish Habitat Partnerships and formally recognized Partnerships that met the criteria; approved a framework for assessing the condition of the nation's fish habitats; and issued the report *Through a Fish's Eye: The Status of Fish Habitats in the United States 2010*. The Board annually bestows National Fish Habitat Awards to honor individuals or entities that demonstrate extraordinary dedication, innovation or excellence in aquatic resource conservation and annually announces "Ten Waters to Watch", which represent a snapshot of key conservation efforts in progress. Kelly Hepler (now Secretary of South Dakota Department of Game, Fish and Parks, formerly with Alaska Department of Fish and Game) has chaired the Board since May 2008.

Under the leadership of the Board, the National Fish Habitat Partnership has grown to include thousands of organizations and individuals in all 50 states, and has met the objectives of the original Plan. In July 2012 the Board issued the 2nd Edition of the Plan, identifying new objectives to build upon past progress.

The National Fish Habitat Action Plan encompasses five important lessons that emerge from America's past efforts to protect and restore fish habitat:

- be strategic rather than merely opportunistic
- address the causes of and processes behind fish habitat decline, rather than the symptoms
- provide increased and sustained investment to allow for long-term success
- monitor and be accountable for scientifically sound and measurable results
- share information and knowledge at all levels from local communities to Congress

The Plan offers an unprecedented opportunity to meet the challenges of protecting, restoring and enhancing aquatic habitats on a national scale. The plan's vision of healthy habitats, healthy fish, healthy people and healthy economies will be achieved through cooperation, investment and stewardship. This vision will result in local actions that yield measurable social, economic and ecological benefits — and more fish!

MISSION, GOALS, AND OBJECTIVES

(from the National Fish Habitat Action Plan, 2nd Edition, July 2012)

Mission

The Mission of the National Fish Habitat Partnership is to protect, restore, and enhance the nation's fish and aquatic communities through partnerships that foster fish habitat conservation and improve the quality of life for the American people. This mission will be achieved by:

- Supporting Fish Habitat Partnerships and ensuring their effectiveness.
- Mobilizing and focusing national and local support for achieving fish habitat conservation goals
- Measuring and communicating the status and needs of aquatic habitats
- Providing national leadership and coordination to conserve fish habitats

Goals

- Protect and maintain intact and healthy aquatic systems
- Prevent further degradation of fish habitats that have been adversely affected
- Reverse declines in the quality and quantity of aquatic habitats to improve the overall health of fish and other aquatic organisms
- Increase the quality and quantity of fish habitats that support a broad natural diversity of fish and other aquatic species

Objectives

1. Achieve measurable habitat conservation results through strategic actions of Fish Habitat Partnerships that improve ecological condition, restore natural processes, or prevent the decline of intact and healthy systems leading to better fish habitat conditions and increased fishing opportunities.
2. Establish a consensus set of national conservation strategies as a framework to guide future actions and investment by the Fish Habitat Partnerships by 2013.
3. Broaden the community of support for fish habitat conservation by increasing fishing opportunities, fostering the participation of local communities – especially young people – in conservation activities, and raising public awareness of the role healthy fish habitats play in the quality of life and economic well-being of local communities
4. Fill gaps in the National Fish Habitat Assessment and its associated database to empower strategic conservation action supported by broadly available scientific information, and integrate socio-economic data in the analysis to improve people's lives in a manner consistent with fish habitat conservation goals.
5. Communicate the conservation outcomes produced collectively by Fish Habitat Partnerships, as well as new opportunities and voluntary approaches for conserving fish habitat, to the public and conservation partners.

THE NATIONAL FISH HABITAT BOARD

The Board consists of up to 22 members. Except those who serve by virtue of their office, members are appointed by the Board’s Executive Leadership Team, consisting of the President and Executive Director of the Association of Fish and Wildlife Agencies; Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration; and the Director of the U.S. Fish and Wildlife Service. See the Board charter in Appendix B for details.

State Government Representatives

The Board includes **five state fish and wildlife agency representative** and the **Executive Director of the Association of Fish and Wildlife Agencies**.

Federal Government Representatives

The Board includes up to **five federal agency representatives**. These include the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, and the Director of the U.S. Fish and Wildlife Service, Department of the Interior, who serve by virtue of their office.

Indian Tribal Representation

The Board includes **at least one representative from an Indian tribal or native Alaskan government**.

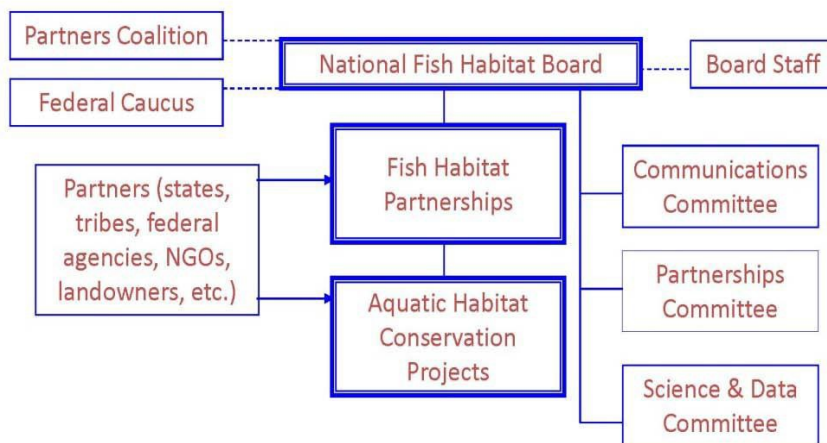
Non-Governmental Organizations

The **National Fish and Wildlife Foundation** and the **American Fisheries Society** each nominate a representative for approval by the ELT.

Other Groups

The remaining **eight members are appointed from a range of interests** including: sportfishing, commercial fishing, sportfishing industry, academic, and land and aquatic resource conservation organizations. In addition, these members are appointed to ensure the Board includes a balance of governmental and non-governmental organizations and a balance of freshwater and marine interests.

Figure 1. National Fish Habitat Partnership structure



ROLES AND EXPECTATIONS OF BOARD MEMBERS

General Board Position Description

Board members must be organized, proactive, analytical and creative thinkers, and should have excellent coalition building skills. Board members represent the views of their organization and sector, but must also be able to keep in mind the bigger picture, i.e. what's in it for all instead of what's in it for my group. They must be willing to invest time and energy in the Board and the Partnership, and participate in Board meetings to the best of their ability. We encourage all Board members to:

- advocate actively for the National Fish Habitat Partnership
- help the 19 board-approved Fish Habitat Partnerships leverage resources, and
- work to enhance collaboration among partners
- identify challenges facing fish habitats and resources to address the challenges.

Code of Conduct

Members appointed to the National Fish Habitat Board are expected to conduct themselves in a professional manner using the highest principles, values, and standards, to guide their interactions and decisions as a Board member. Members should seek to guide the Partnership in a way that contributes to the welfare of its key stakeholders and respects the rights of all constituents affected by its operations.

Board Member Commitment

Members of the Board are expected to participate in three or more Board meetings per year (at least two in person and one conference call) plus related activities. While there are no specific time commitments, members should be willing to spend whatever time is necessary to become informed about agenda topics and engaged during the Board meeting discussions and decisions. Members should carefully review Board meeting briefing books, provided in advance of meetings.

Committees and Workgroups

Board members may be asked to serve on *ad hoc* committees or workgroups that are formed to accomplish specific tasks undertaken by the Board. Every Board member should expect to serve on one or more of these committees during his/her tenure as Board member.

Board Member Travel Expenses

The Board has travel assistance funding built-in to its budget annually for members to utilize if necessary for travel to and from Board meetings. Please contact Ryan Roberts to inquire about travel expenses.

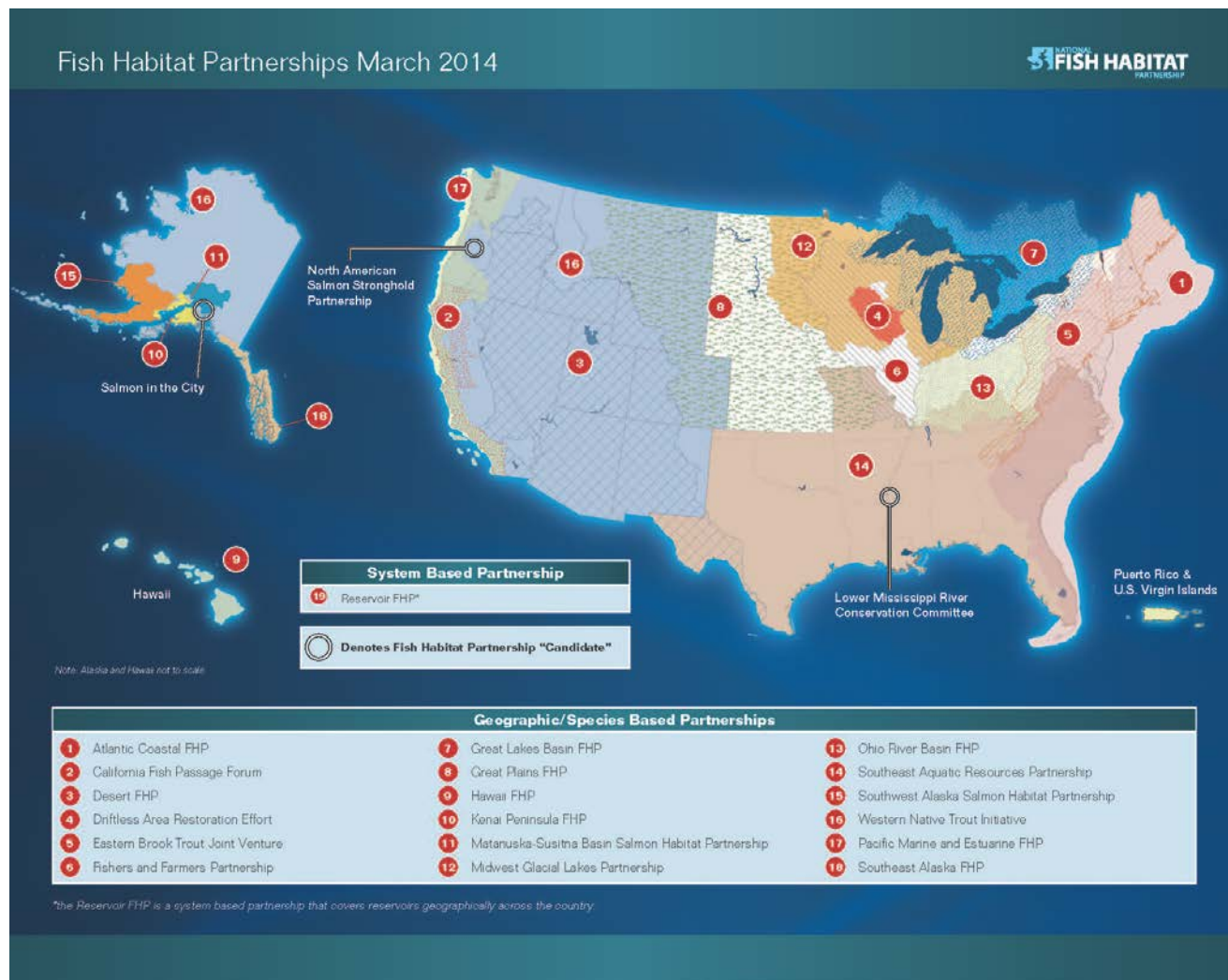
Federal Agency Involvement on the Board

Federal employees serving as members of the Board may participate in discussions, offer proposed suggestions for Board actions, and advance the goal of further integrating agency programs with respect to fishery habitat conservation. This includes engaging in discussions of agency policy, advising other Board members about their own agency's goals and criteria in awarding funds, and commenting on proposed suggestions for program activities. In all cases, federal employees may offer to make recommendations to other officials within their own agencies regarding ideas and concepts discussed during Board meetings and conferences.

The Federal Advisory Committee Act (FACA) provides an orderly procedure for federal agencies to seek advice and assistance from citizens and experts. Any time a federal agency intends to establish, control, or manage an advisory group that includes persons other than federal, state, tribal, or local government

employees operating in their official capacities, the agency must comply with FACA and implementation guidelines. The Board is not nominally or actually controlled by federal agencies; therefore, **the Board is not an “advisory committee” as defined by the Federal Advisory Committee Act.** State and private members maintain a leading, active role in the management and direction of the Board, and the Board is a collaborative undertaking, not predominately an advisory body to federal agencies.

Figure 2. The Fish Habitat Partnerships



FISH HABITAT PARTNERSHIPS

Nineteen Fish Habitat Partnerships are implementing aquatic habitat conservation projects across the nation based on their scientific assessments and strategic plans. Each Fish Habitat Partnership was recognized by the Board after demonstrating that it met the criteria established by the Board in the [Policies and Guidance for Fish Habitat Partnerships](#). The 19 recognized Fish Habitat Partnerships and three “Candidate” Fish Habitat Partnerships are shown in Figure 2.

PARTNERS COALITION

The Partner Coalition serves as an outlet for information-sharing on priorities, projects, and successes, while helping the Board to build a grassroots network of support for fish habitat conservation. The Coalition consists of individuals and organizations who sign up through the web site (fishhabitat.org).

FEDERAL CAUCUS

Several federal agencies contribute to the work of the Partnership, not just the agencies that are represented on the Board. The Federal Caucus was created in 2005 to facilitate interaction among federal agencies and with other partners by:

- providing communication links among federal agencies cooperating under the National Fish Habitat Partnership;
- providing a mechanism through which federal partners can jointly identify strategies and resources to support goals of the National Fish Habitat Partnership;
- ensuring that the National Fish Habitat Partnership helps agencies achieve their missions by enhancing partnerships and improving measurement of results and performance; and
- enhancing networking and collaboration among federal partners, the National Fish Habitat Board, and other partners implementing the National Fish Habitat Action Plan.

The Federal Caucus meets every three months or as needed. In 2012, the Caucus was instrumental in achieving a Secretarial Memorandum of Understanding in support of the Partnership, signed by the Secretaries of Agriculture, Commerce, and the Interior.

BUDGETING

Board Operations

The Board approves an annual budget that includes funding for staffing resources, the work of the science and data committee, communications products and programs, partnership coordination, and Board travel. The budget runs on a calendar year basis, and is approved each year in January.

The budget is recommended by Board staff, based on priorities of the Board. Board members guide the development of and approve Board priorities in line with the Action Plan objectives. The Association of Fish and Wildlife Agencies (AFWA) and the National Fish and Wildlife Foundation (NFWF) both serve as fiduciary agents for the Board.

Revenues are received from federal sources, state agency contributions, Multistate Conservation Grants, and other grant sources. Typically, the USFWS provides funds to AFWA to support the Board's priorities, and also directly funds Board priorities for science and data needs and web site development after consultation with the Board. The National Oceanic and Atmospheric Administration (NOAA) and U.S. Geological Survey (USGS) also directly fund Board priorities for science and data needs. State agency funds are solicited on an *ad hoc* basis and are typically focused on key areas such as science and data support needs. Multistate Conservation Grants are dependent upon proposals making their way through a joint AFWA/USFWS process.

Fish Habitat Partnership Funding

Starting in FY 2014, the Service implemented a competitive, performance-based process to allocate project funds. Each year the Fish and Wildlife Service (FWS) will distribute project funds to FHPs in two

categories: 1) stable operational support and 2) competitive, performance-based funds to encourage strategic conservation delivery. All project funds in both categories must be accounted for in the Fisheries Information System annually.

Stable Operational Support

Stable operational support will be provided to FHPs at a level of \$75,000/year. FHPs may use the funds for operations (coordination, outreach, travel, etc.) and/or for fish habitat conservation projects (habitat restoration, assessment, planning, etc.) to maximize conservation results, with no restrictions on how the funds are split between operations and projects. To receive stable operational support each year, a partnership must meet the criteria set by the National Fish Habitat Board for recognizing FHPs (see [Policies and Guidance for Fish Habitat Partnerships](#)) and must submit a Work Plan and Accomplishments Report.

Competitive, Performance-based Support

Competitive, performance-based funds consist of the remaining project funds spread across three performance levels. FHPs will be assigned a performance level based on their ability to meet an increasingly complex set of criteria. At each performance level, an FHP must meet *all* criteria in order to qualify for that performance level. The basis for assigning FHP performance levels will be 1) a work plan with a one-year planning horizon, detailing how the FHP and its partners propose to use FWS project funds and 2) an accomplishments report describing how the FHP has implemented projects in the previous three years.

COMMITTEES

Three standing committees operate under the Board's purview. These committees accomplish specific tasks undertaken by the Board and report back to the Board as necessary.

Science & Data Committee

The Science and Data Committee's purpose is to provide scientific and data management expertise and oversight to advance the goals and objectives of the National Fish Habitat Board (Board) in a scientifically sound and strategic manner.

Duties and roles of the Committee's co-chairs and members include:

- Provide advice to the Board on setting future science and data priorities.
- Develop strategies for executing and implementing Board science and data priorities by ensuring the direction, purpose, and needs for future national assessments are well-defined.
- Oversee, coordinate, and review the development of the national fish habitat assessment including, but not limited to, assisting the assessment teams with relevant contacts, data acquisition, and expertise as needed.
- Provide expert advice and support on habitat and data issues to the Board, National Assessment Teams, and Fish Habitat Partnerships to ensure scientific data conformity and coordination between FHPs, partner agencies, and the Science and Data Committee.

Communications Committee

The Communications Committee's role is to support the partnership by sustaining critical communications needs and initiatives. The Communications Committee plays an essential role in crafting the messages that raise awareness about the partnership and help build a community of support for fish habitat conservation.

Partnerships Committee

The Partnerships Committee serves as a forum for preliminary discussions, fact-finding, and formulating recommendations for Board actions that affect Fish Habitat Partnerships.

In addition to standing committees, the Board appoints *ad hoc* committees to address specific needs. As of July 2015, the following committees are active:

- *Marketing Team*, charged with leading the creation of an educational and outreach campaign to raise awareness of the critically important aquatic habitat conservation work being implemented through the National Fish Habitat Partnership

NATIONAL FISH HABITAT BOARD STAFF

The National Fish Habitat Board has a small staff that shares duties in support of Board efforts while also fulfilling specific roles. Shared duties are as follows:

- Prepare materials necessary for Board actions
- Provide strategic Planning recommendations to Board for Plan implementation, including staffing levels, restructuring of teams, adding new teams, or permanent staff support for teams.
- Support, and as appropriate, participate in Federal Caucus, Partners Coalition, and other stakeholder activities to insure consistency with Action Plan and implementation
- Provide assistance to sub-committees and work groups that are formed by the Board

The following individuals serve as staff to the Board:

- Cecilia Lewis, FWS, 703-358-2102, cecilia_lewis@fws.gov
- Emily Greene, NOAA Fisheries contractor, 301-427-8684, emily.greene@noaa.gov
- Gary Whelan, Michigan DNR, 517-373-6948, whelang@michigan.gov
- Peter Ruhl, USGS, 703-648-6841, pmruhl@usgs.gov
- Ryan Roberts, AFWA, 202-624-5851, rroberts@fishwildlife.org

Other individuals from partner agencies and organizations may also contribute to staffing the Board.

National Fish Habitat Partnership Coordinator – Cecilia Lewis, FWS

- Serve as the Board's liaison with Fish Habitat Partnerships and facilitate communication among the Partnerships
- Maintain and compile reports on accomplishments of Fish Habitat Partnerships
- Maintain database of contact and other information on recognized and candidate Fish Habitat Partnerships
- Provide information and guidance to prospective Fish Habitat Partnerships
- Convene regular meetings of Federal agency personnel (the "Federal Caucus") to promote awareness, coordination, and Federal agency contributions to NFHAP activities
- Maintain database of Federal agency contact information and distribute information on activities of the Board and NFHAP partners
- Encourage Federal agencies to provide current contact information through the online Federal partners map

Board Coordination – Emily Greene, NOAA Fisheries contractor

- Coordinate communication with Board, Board staff, and among Board sub-committees.

- Work with Board staff, Board Chair and Vice-Chair to prepare materials and assist in running Board meetings three times a year.
- Develop annual report to Board Chair each January summarizing Board activity during the past calendar year and highlighting any areas needing improvement

Science and Data Coordination – Gary Whelan, MI DNR and Peter Ruhl, USGS (Co-Chairs)

- Establish measurement criteria and reporting protocols
- Develop procedures and policies for reviewing science and data needs for NFHAP projects
- Work with and support Fish Habitat Partnerships in following NFHAP science and data policies and procedures
- Provide system classification and habitat assessment information
- Communication with and assistance to data systems manager for data bases, or links to other systems needed for system classification, habitat assessment, and existing priorities databases
- Produce and print Science and Data reports as directed by the Board
- Assist and coordinate with Science and Data Committee on issues relating to National Fish Habitat Action Plan Implementation

Communications Coordinator – Ryan Roberts, AFWA/NFHAP

- Receive and disseminate information to partners and stakeholders and among teams and the board as directed by the Board
- Produce information based materials for the public, partners and stakeholders as directed by the Board through core staff in support of other team functions
- Produce information for target audiences as directed by the Board
- Assist partners to communicate within organizations and agencies
- Coordinate communications for consistency and accuracy with Action Plan and Board directives with other partner and stakeholder communication leads
- Oversee development and maintain content of www.fishhabitat.org website and social media outlets
- Coordinate outreach materials for Action Plan Initiatives and Fish Habitat Partnerships as needed
- Tailor development functions to successfully implement and support Science/Data, Communication, Partnership, and Partner Outreach support and other Action Plan resource related needs to insure successful implementation consistent with Action Plan and Board direction
- Work with the legislative team on strategic planning for communications related materials to benefit the National Fish Habitat Conservation Act
- Actively coordinate with State fisheries coordinators on NFHAP communications materials relative to the States

POLICY AND TECHNICAL DOCUMENTS APPROVED BY THE NATIONAL FISH HABITAT BOARD

Information about the Board not covered in the above summary is included in the Board Charter which is included in this guide as Appendix B.

The following documents provide additional background and information on past guidance to the Fish Habitat Partnerships and serve as a record of the Board's policy and technical positions. These will help provide new members with historical context and a foundation from which to work in order to advance the National Fish Habitat Partnership. For those documents which cannot be found on www.fishhabitat.org, please contact Emily Greene (emily.greene@noaa.gov) :

- [Policies and Guidance for Fish Habitat Partnerships](#) (October 8, 2008)
- [Recommended Strategic Plan Framework for Fish Habitat Partnerships](#) (October 8, 2008)
- [Process for Recognizing New Fish Habitat Partnerships](#) (March 4, 2010)
- [Guidance on the Use of the "National Fish Habitat Action Plan" Brand](#) (October 7, 2009)
- [A Framework for Assessing the Nation's Fish Habitats](#) (October 2008)
- [Final Interim Strategies and Targets for National Fish Habitat Action Plan](#) (November 8, 2007)
- [Through a Fish's Eye: the Status of Fish Habitats in the United States 2010](#) (April 2011)
- [National Fish Habitat Action Plan \(2nd Ed.\)](#)
- Minimum Benchmark Set of Fish Habitat Project Prioritization Criteria (February 2013)
- [Fish Habitat Partnership Performance Evaluation Form and Criteria \(Approved January 2015\)](#)
- [National Fish Habitat Conservation Strategies \(February 2013\)](#)

Appendix A

DEFINITIONS

National Fish Habitat Partnership

The National Fish Habitat Partnership is an organization established to conserve fish habitat nationwide, leveraging federal funds with private funds to achieve the greatest impact on the landscape through priority conservation projects. The National Fish Habitat Partnership is aimed at growing a community of support concerned about fish habitat conservation and the future of our aquatic habitats.

Fish Habitat Partnership

A National Fish Habitat Board approved group of state, federal, local, nonprofit, tribal, Alaskan Native or private individuals or entities that coordinate to implement the Plan at a regional level. Fish habitat conservation projects proposed by these FHPs are eligible for funding as NFHAP projects.

Candidate Fish Habitat Partnership

A partnership that is working toward recognition by the Board to become a recognized Fish Habitat Partnership. Candidate Fish Habitat Partnerships are eligible for coordination and technical assistance from the Board. Fish habitat conservation projects proposed by these Partnerships are eligible for funding as NFHAP projects.

Coalition Partner

A group that is not working toward recognition by the Board as a Fish Habitat Partnership, but that is working to achieve the goals of the Action Plan through the conservation of fish habitat. Coalition Partners will share in the coordination and technical assistance provided by the Board.

Fish Habitat Conservation Project

Fish Habitat Conservation Projects are:

1. approved actions taken for the conservation or management of aquatic habitat for fish and other aquatic organisms;
2. the provision of technical assistance to states and local communities to facilitate development of strategies and priorities for aquatic habitat conservation;
3. the obtaining of a real property interest in lands or waters, including water rights, if the obtaining of such interest is subject to terms and conditions that will ensure that the real property will be administered for the long-term conservation of such lands and waters and the fish dependent thereon. Real property interest means any ownership interest in lands or a building or an object that is permanently affixed to land.

Appendix B

NATIONAL FISH HABITAT BOARD CHARTER

(Adopted by the Board on September 22, 2006; revised April 19, 2007, and October 13, 2010)

I. BACKGROUND

The National Fish Habitat Board (hereafter “Board”) is responsible for carrying out a cooperative nationwide program to conserve (protect, restore and enhance) the habitats of the Nation’s marine and freshwater fish populations. The Board is a voluntary association of public and private sector entities that serves as the body overseeing the implementation of the National Fish Habitat Action Plan (“Plan”).

II. . MISSION and GOALS

The purpose of the Board is to promote, oversee, and coordinate implementation of the Plan. The Board’s mission is to conserve (protect, restore and enhance) the nation’s fish and aquatic communities through partnerships that foster fish habitat conservation and improve the quality of life for the American people.

This mission will be achieved by:

- Providing national leadership and coordination to conserve fish habitats.
- Approving and supporting Fish Habitat Partnerships and fostering new efforts.
- Establishing interim and long-term national fish habitat conservation goals and supporting regional fish habitat conservation goals.
- Mobilizing and focusing national and local support for fish habitat conservation.
- Measuring and communicating the status and needs of fish habitats.

The Board’s goals are to:

- Protect and maintain intact and healthy aquatic systems.
- Prevent further degradation of fish habitats that have been adversely affected.
- Reverse declines in the quality and quantity of aquatic habitats to improve the overall health of fish and other aquatic organisms.
- Increase the quality and quantity of fish habitats that support a broad natural diversity of fish and other aquatic species.
- Increase fish and therefore fishing opportunities.

In furtherance of the Plan’s mission, the Board's role is to:

- Coordinate agency and stakeholder involvement at the national level.
- Develop appropriate policies and guidance for recognizing Fish Habitat Partnerships.
- Develop processes to prioritize and deliver National Fish Habitat Action Plan funds to the partnerships.
- Develop criteria for funding and related resources.
- Establish national partnerships or other arrangements that provide funding and other resources to the Fish Habitat Partnerships and other efforts of the Plan.
- Establish national measures of success and evaluation criteria guidelines for Fish Habitat Partnerships and facilitate Fish Habitat Partnership adaptation of these guidelines for their unique systems.
- Report to Congress, States and other partners on the status and accomplishments of the National Fish Habitat Action Plan.
- Carry out such administrative, organizational, or procedural matters as are necessary or proper.

III. BOARD BYLAWS

A. Appointment – The Board will be appointed by the Executive Leadership Team (ELT). The membership of the ELT shall consist of: the President and Executive Director of the Association of Fish and Wildlife Agencies; Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration; and the Director of the Fish and Wildlife Service, Department of the Interior. The ELT will have final responsibility for appointment and, if necessary, removal of all Board members, except those serving by virtue of their office.

B. Membership

1. Members--The Board shall consist of up to 22 members.
2. State Government Representatives--The Board shall include five state fish and wildlife agency representatives and the Executive Director of the Association of Fish and Wildlife Agencies. Each of the four regional Associations of Fish and Wildlife Agencies (Northeast, Southeast, Midwest, and Western) shall nominate a representative to the ELT for approval. The fifth state representative will be appointed by the ELT. These representatives shall be selected to create an appropriate balance between inland and coastal states. The Executive Director of the Association shall serve by the virtue of his or her office.
3. Federal Government Representatives.—The Board shall include up to five federal agency representatives. These shall include the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, and the Director of the Fish and Wildlife Service, Department of the Interior, who shall serve by virtue of their office.
4. Indian Tribal Representation—The Board shall include at least one representative from an Indian tribal or native Alaskan government.
5. The National Fish and Wildlife Foundation and the American Fisheries Society each shall nominate a representative for approval by the ELT.
6. The remaining eight members shall be appointed to ensure the Board includes representation from the following range of interests: sportfishing, commercial fishing, sportfishing industry, academic, and land and aquatic resource conservation organizations. In addition, these members shall be appointed to ensure the Board includes a balance of governmental and non-governmental organizations and a balance of freshwater and marine interests.

C. Terms of Service

1. Normal Term—Except as provided in paragraphs (3) and (4) of this Subsection, the term of office of a member of the Board is three years.
2. Members whose terms have expired shall serve until replaced.
3. Initial Appointment—The initial appointment of the charter Board shall be for a term of three years.
4. Transitional Re-appointment – Except for the members appointed under paragraphs (2), (4) and (5) of Section III.B., four shall be re-appointed initially for a term of one year, four shall be re-appointed for a term of two years, and up to five shall be re-appointed for a term of three years. After these transitional terms, terms will be as provided in paragraph (1) of this Subsection.
5. Vacancies—Any vacancy among the Board members shall be filled through appointment by the ELT, and any Board member appointed to fill a vacancy shall serve for the remainder of that term for which his or her predecessor was appointed.

D. Procedures

1. Selection of Board Chair-- At the first meeting of the Board, the Board shall elect a Chair from the state government membership of the Board. Each subsequent Chair shall be elected by the Board from among the state government representatives.
2. Term of Chair—The term of any Chair shall be two years, provided that any Chair may serve successive terms. No Chair shall serve more than 3 consecutive terms.

3. Meetings--The Board shall meet at the call of the Chair at least twice a year. The Chair shall endeavor to establish a proposed meeting schedule identifying potential meeting dates within the twelve month period following each meeting of the Board. Except as provided below, the Chair must give Board members at least two months' notice of a Board meeting and shall provide a draft agenda at that time. Notice must be provided in writing, but may be delivered by email or facsimile to each Board member. The Chair with due cause may call the Board for emergency meetings, provided, however, that business of the meeting must be restricted to the reasons for which the meeting is called. Board meetings shall be open to the public, provided, however, that the Board may meet in executive sessions closed to the public to discuss personnel, legal matters, or any other matter of a private or necessarily confidential nature. These closed sessions shall be clearly identified in the meeting announcement. Notification of Board meetings shall be made to members of the Partners Coalition and other interested parties.
4. Quorum—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.
5. Participation and Attendance--If a Board member is not able to attend a Board meeting he or she may appoint a designee provided an official proxy is signed and presented to the Board Chair. **A Board member may designate another Board member to hold his/her proxy, but no Board member may hold more than 1 proxy.** If a Board member, other than a Board member who serves by virtue of office, fails to attend three consecutive regularly scheduled meetings, the Chair, in consultation with the ELT, may remove that person from the Board and request that the ELT appoint a replacement. A Board member may participate in a Board meeting by conference call with the prior approval of the Chair. If a Board member, other than a Board member who serves by virtue of office, attends three consecutive regularly scheduled meetings by conference call, the Chair, in consultation with the ELT, may remove that person from the Board and request that the ELT appoint a replacement.
6. Voting—The Board should strive to achieve consensus on all actions proposed. If consensus cannot be achieved within the time frame allotted to the action on the agenda, all actions must be approved by the vote of two-thirds of all members present and voting. Each Board member shall have one vote. All voting shall proceed under Robert's Rules of Order. The Board may extend the discussion period for items on the agenda, or consider items not on the proposed agenda for a meeting, provided that such changes to the agenda must be approved by a vote at the time they are proposed.
7. Other Procedures--The Board shall establish other procedures as needed to schedule meetings, develop agendas, and otherwise facilitate and conduct business, including those procedures or matters required to comply with any requirements resulting from incorporation of the Board under law.
8. Chair's Responsibilities—In addition to such duties established elsewhere in these bylaws, the Chair shall:
 - a. Prepare a written agenda of all matters to be considered by the Board at any meeting;
 - b. Prepare and issue all notices, including notices of meetings, required to be given to the Board and public;
 - c. Preside at all meetings of the Board and, unless otherwise directed by the Board, present items of business for consideration by the Board in the order listed on the agenda for the meeting;
 - d. Conduct all meetings in accordance with Robert's Rules of Order and these bylaws;
 - e. Appoint committees as required; and
 - f. Perform other duties as requested by the Board.
9. Appointment of Vice-Chair—The Board shall elect a Vice-Chair from among the Board membership. In the absence of the Chair, or in the event of the Chair's inability to act, or a

conflict of interest for the Chair, the Vice-Chair shall perform the duties of the Chair, and when so acting, shall have all the powers of and be subject to all the restrictions upon the Chair. The Vice-Chair shall perform such other duties as from time to time may be assigned by the Chair or by the ELT. The term of the Vice-Chair shall be the same as the term of the Chair.

E. Board Responsibilities

1. Coordination - The Board will coordinate agency and stakeholder involvement at the national level and establish national partnerships that provide funding and other resources to the Partnerships and other efforts of the Plan.
2. Conservation Goals and Objectives - The Board will develop and amend, as appropriate, specific national fish habitat conservation goals and objectives with the advice from the Science and Data Committee established pursuant to Paragraph (2) of Subsection F of this Section.
3. Partnerships - The Board will develop and amend, as appropriate, a strategy to encourage the formation of Fish Habitat Partnerships ("Partnerships"). This strategy will be updated periodically to include new information on fish habitat status and the status of existing Partnerships.
4. Recognition of Partnerships - The Board shall develop and amend, as appropriate, criteria for recognition of Partnerships. The Board shall distribute the criteria, establish a process for parties to use in seeking recognition as a Partnership, and maintain a publicly accessible registry of recognized Partnerships. Such criteria shall include provisions to promote transparency and the highest standards of ethical conduct in the decision-making of the Board regarding recognition of Partnerships.
5. Evaluation Criteria- The Board will establish national measures of success and evaluation criteria guidelines for Partnerships
6. Funding - The Board will develop and implement strategies to increase public and private funding for fish habitat conservation, provided that the responsibility for implementation of such strategies by any Board member shall be limited by any legal or administrative restrictions that may apply to the activities of any such member.
7. Report - The Board will develop a strategy (including funding) to support development of a "Status of Fish Habitats in the United States" report to Congress States, and other partners. The report shall be completed in 2010, and every 5 years after.

F. Coordination and Support

1. Staff--The Board shall accept staff support provided by The Association of Fish and Wildlife Agencies, the National Oceanic and Atmospheric Administration's National Marine Fisheries Service, and the U.S. Fish and Wildlife Service. The Chair, in consultation with the contributing entities, shall act on behalf of the Board in directing the activities of the staff. The Chair, in consultation with the Board, may accept additional staff or other support from other entities. The contributing entities shall use their best efforts to provide common office space for all Board staff and take such other measures as they deem appropriate to facilitate communication, cohesiveness, and efficient operations for the benefit of the Board.
2. Science and Data Committee --The Board shall establish a Science and Data Committee chaired by a State representative or another entity recommended by the Committee and approved by the Board, and consisting of at least two State agency representatives, two Federal agency representatives, two non-governmental organization representatives, and two academic

representatives. All Committee members will have demonstrated knowledge of the Plan's science foundation. The Board shall solicit information from the Science and Data Committee and incorporate that information, and other appropriate information, into the strategies and goals developed by the Board. The Board will support the Science and Data Team by providing necessary staff, funding, data and other resources needed to complete the national assessments and reports called for in the Plan.

3. Federal Caucus--The Board shall coordinate with the broadest possible range of Federal agencies through the Federal Caucus, a partnership of Federal agencies organized to coordinate Federal participation in the implementation of the Action Plan, and make every attempt to expand the Federal Caucus to include all Federal agencies involved with fish habitat. The Board shall coordinate with the Federal agencies to develop and implement habitat protection and rehabilitation strategies at national and regional scales, to ensure that Federal agencies policies are consistent with the Plan, and to otherwise support implementation of the Plan.
4. Partners Coalition--The Board shall coordinate with the broadest possible range of stakeholders and other interested parties to increase involvement and support for coordinated fish habitat conservation at national and regional scales.

G. Committees

The Board may establish and otherwise manage committees as needed to carry out the responsibilities of the Board. Such committees may include individuals who are not members of the Board.

H. Board and Committee Expenses

Board and Committee members will not be compensated for their time working on Board or Committee business or traveling to meetings. Travel expenses generally should be borne by the agency or other entity that employs the Board or Committee member, but reimbursement arrangements may be made if funds for this purpose are available.

IV. . Procedure to Amend Charter

The Board may decide to amend this charter by consensus or a two-thirds vote of all members present and voting. Any proposed change to this charter must be noted on the draft agenda that is sent out at the time the meeting is scheduled.

S. 659—Crapo Amendment #1

16 JAN 19 AM 10:06

Summary—The amendment would enact programs to conserve fish and fish habitat in the United States through partnerships that foster fish habitat conservation, enhance fish and wildlife-dependent recreation, and for other purposes.

AMENDMENT NO. _____ Calendar No. _____

Purpose: To conserve fish and fish habitat in the United States through partnerships that foster fish habitat conservation, enhance fish and wildlife-dependent recreation, and for other purposes.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. 659

To protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CRAPO

Viz:

1 At the end, add the following:

2 **TITLE II—NATIONAL FISH**
3 **HABITAT CONSERVATION**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “National Fish Habitat
6 Conservation Through Partnerships Act”.

7 **SEC. 202. PURPOSE.**

8 The purpose of this title is to encourage partnerships
9 among public agencies and other interested parties to pro-
10 mote fish conservation—

1 (1) to achieve measurable habitat conservation
2 results through strategic actions of Fish Habitat
3 Partnerships that lead to better fish habitat condi-
4 tions and increased fishing opportunities by—

- 5 (A) improving ecological conditions;
6 (B) restoring natural processes; or
7 (C) preventing the decline of intact and
8 healthy systems;

9 (2) to establish a consensus set of national con-
10 servation strategies as a framework to guide future
11 actions and investment by Fish Habitat Partner-
12 ships;

13 (3) to broaden the community of support for
14 fish habitat conservation by—

- 15 (A) increasing fishing opportunities;
16 (B) fostering the participation of local
17 communities, especially young people in local
18 communities, in conservation activities; and

19 (C) raising public awareness of the role
20 healthy fish habitat play in the quality of life
21 and economic well-being of local communities;

22 (4) to fill gaps in the National Fish Habitat As-
23 sessment and the associated database of the Na-
24 tional Fish Habitat Assessment—

1 (A) to empower strategic conservation ac-
2 tions supported by broadly available scientific
3 information; and

4 (B) to integrate socioeconomic data in the
5 analysis to improve the lives of humans in a
6 manner consistent with fish habitat conserva-
7 tion goals; and

8 (5) to communicate to the public and conserva-
9 tion partners—

10 (A) the conservation outcomes produced
11 collectively by Fish Habitat Partnerships; and

12 (B) new opportunities and voluntary ap-
13 proaches for conserving fish habitat.

14 **SEC. 203. DEFINITIONS.**

15 In this title:

16 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
17 **TEES.**—The term “appropriate congressional com-
18 mittees” means—

19 (A) the Committee on Commerce, Science,
20 and Transportation and the Committee on En-
21 vironment and Public Works of the Senate; and

22 (B) the Committee on Natural Resources
23 of the House of Representatives.

1 (2) BOARD.—The term “Board” means the Na-
2 tional Fish Habitat Board established by section
3 204(a)(1).

4 (3) DIRECTOR.—The term “Director” means
5 the Director of the United States Fish and Wildlife
6 Service.

7 (4) EPA ASSISTANT ADMINISTRATOR.—The
8 term “EPA Assistant Administrator” means the As-
9 sistant Administrator for Water of the Environ-
10 mental Protection Agency.

11 (5) INDIAN TRIBE.—The term “Indian tribe”
12 has the meaning given the term in section 4 of the
13 Indian Self-Determination and Education Assistance
14 Act (25 U.S.C. 450b).

15 (6) NOAA ASSISTANT ADMINISTRATOR.—The
16 term “NOAA Assistant Administrator” means the
17 Assistant Administrator for Fisheries of the Na-
18 tional Oceanic and Atmospheric Administration.

19 (7) PARTNERSHIP.—The term “Partnership”
20 means a self-governed entity designated by the
21 Board as a Fish Habitat Conservation Partnership
22 pursuant to section 205(a).

23 (8) REAL PROPERTY INTEREST.—The term
24 “real property interest” means an ownership interest
25 in—

1 (A) land; or

2 (B) water (including water rights).

3 (9) SECRETARY.—The term “Secretary” means
4 the Secretary of the Interior.

5 (10) STATE.—The term “State” means each of
6 the several States.

7 (11) STATE AGENCY.—The term “State agen-
8 cy” means—

9 (A) the fish and wildlife agency of a State;
10 and

11 (B) any department or division of a de-
12 partment or agency of a State that manages in
13 the public trust the inland or marine fishery re-
14 sources or sustains the habitat for those fishery
15 resources of the State pursuant to State law or
16 the constitution of the State.

17 **SEC. 204. NATIONAL FISH HABITAT BOARD.**

18 (a) ESTABLISHMENT.—

19 (1) FISH HABITAT BOARD.—There is estab-
20 lished a board, to be known as the “National Fish
21 Habitat Board”, whose duties are—

22 (A) to promote, oversee, and coordinate the
23 implementation of this title;

24 (B) to establish national goals and prior-
25 ities for fish habitat conservation;

1 (C) to approve Partnerships; and

2 (D) to review and make recommendations
3 regarding fish habitat conservation projects.

4 (2) MEMBERSHIP.—The Board shall be com-
5 posed of 25 members, of whom—

6 (A) 1 shall be a representative of the De-
7 partment of the Interior;

8 (B) 1 shall be a representative of the
9 United States Geological Survey;

10 (C) 1 shall be a representative of the De-
11 partment of Commerce;

12 (D) 1 shall be a representative of the De-
13 partment of Agriculture;

14 (E) 1 shall be a representative of the Asso-
15 ciation of Fish and Wildlife Agencies;

16 (F) 4 shall be representatives of State
17 agencies, 1 of whom shall be nominated by a re-
18 gional association of fish and wildlife agencies
19 from each of the Northeast, Southeast, Mid-
20 west, and Western regions of the United States;

21 (G) 1 shall be a representative of either—

22 (i) Indian tribes in the State of Alas-
23 ka; or

24 (ii) Indian tribes in States other than
25 the State of Alaska;

7

1 (H) 1 shall be a representative of either—

2 (i) the Regional Fishery Management
3 Councils established under section 302 of
4 the Magnuson-Stevens Fishery Conserva-
5 tion and Management Act (16 U.S.C.
6 1852); or

7 (ii) a representative of the Marine
8 Fisheries Commissions, which is composed
9 of—

10 (I) the Atlantic States Marine
11 Fisheries Commission;

12 (II) the Gulf States Marine Fish-
13 eries Commission; and

14 (III) the Pacific States Marine
15 Fisheries Commission;

16 (I) 1 shall be a representative of the
17 Sportfishing and Boating Partnership Council;

18 (J) 7 shall be representatives selected from
19 each of—

20 (i) the recreational sportfishing indus-
21 try;

22 (ii) the commercial fishing industry;

23 (iii) marine recreational anglers;

24 (iv) freshwater recreational anglers;

1 (v) habitat conservation organizations;

2 and

3 (vi) science-based fishery organiza-
4 tions;

5 (K) 1 shall be a representative of a na-
6 tional private landowner organization;

7 (L) 1 shall be a representative of an agri-
8 cultural production organization;

9 (M) 1 shall be a representative of local
10 government interests involved in fish habitat
11 restoration;

12 (N) 2 shall be representatives from dif-
13 ferent sectors of corporate industries, which
14 may include—

15 (i) natural resource commodity inter-
16 ests, such as petroleum or mineral extrac-
17 tion;

18 (ii) natural resource user industries;
19 and

20 (iii) industries with an interest in fish
21 and fish habitat conservation; and

22 (O) 1 shall be a leadership private sector
23 or landowner representative of an active part-
24 nership.

1 (3) COMPENSATION.—A member of the Board
2 shall serve without compensation.

3 (4) TRAVEL EXPENSES.—A member of the
4 Board may be allowed travel expenses, including per
5 diem in lieu of subsistence, at rates authorized for
6 an employee of an agency under subchapter I of
7 chapter 57 of title 5, United States Code, while
8 away from the home or regular place of business of
9 the member in the performance of the duties of the
10 Board.

11 (b) APPOINTMENT AND TERMS.—

12 (1) IN GENERAL.—Except as otherwise pro-
13 vided in this subsection, a member of the Board de-
14 scribed in any of subparagraphs (F) through (N) of
15 subsection (a)(2) shall serve for a term of 3 years.

16 (2) INITIAL BOARD MEMBERSHIP.—

17 (A) IN GENERAL.—The initial Board will
18 consist of representatives as described in sub-
19 paragraphs (A) through (F) of subsection
20 (a)(2).

21 (B) REMAINING MEMBERS.—Not later
22 than 60 days after the date of enactment of
23 this Act, the representatives of the initial Board
24 pursuant to subparagraph (A) shall appoint the
25 remaining members of the Board described in

1 subparagraphs (H) through (N) of subsection
2 (a)(2).

3 (C) TRIBAL REPRESENTATIVES.—Not later
4 than 60 days after the enactment of this Act,
5 the Secretary shall provide to the Board a rec-
6 ommendation of not fewer than 3 tribal rep-
7 resentatives, from which the Board shall ap-
8 point 1 representative pursuant to subpara-
9 graph (G) of subsection (a)(2).

10 (3) TRANSITIONAL TERMS.—Of the members
11 described in subsection (a)(2)(J) initially appointed
12 to the Board—

13 (A) 2 shall be appointed for a term of 1
14 year;

15 (B) 2 shall be appointed for a term of 2
16 years; and

17 (C) 3 shall be appointed for a term of 3
18 years.

19 (4) VACANCIES.—

20 (A) IN GENERAL.—A vacancy of a member
21 of the Board described in any of subparagraphs
22 (H) through (N) of subsection (a)(2) shall be
23 filled by an appointment made by the remaining
24 members of the Board.

1 (B) TRIBAL REPRESENTATIVES.—Fol-
2 lowing a vacancy of a member of the Board de-
3 scribed in subparagraph (G) of subsection
4 (a)(2), the Secretary shall recommend to the
5 Board a list of not fewer than 3 tribal rep-
6 resentatives, from which the remaining mem-
7 bers of the Board shall appoint a representative
8 to fill the vacancy.

9 (5) CONTINUATION OF SERVICE.—An individual
10 whose term of service as a member of the Board ex-
11 pires may continue to serve on the Board until a
12 successor is appointed.

13 (6) REMOVAL.—If a member of the Board de-
14 scribed in any of subparagraphs (H) through (N) of
15 subsection (a)(2) misses 3 consecutive regularly
16 scheduled Board meetings, the members of the
17 Board may—

18 (A) vote to remove that member; and

19 (B) appoint another individual in accord-
20 ance with paragraph (4).

21 (c) CHAIRPERSON.—

22 (1) IN GENERAL.—The representative of the
23 Association of Fish and Wildlife Agencies appointed
24 pursuant to subsection (a)(2)(E) shall serve as
25 Chairperson of the Board.

1 (2) TERM.—The Chairperson of the Board shall
2 serve for a term of 3 years.

3 (d) MEETINGS.—

4 (1) IN GENERAL.—The Board shall meet—

5 (A) at the call of the Chairperson; but

6 (B) not less frequently than twice each cal-
7 endar year.

8 (2) PUBLIC ACCESS.—All meetings of the
9 Board shall be open to the public.

10 (e) PROCEDURES.—

11 (1) IN GENERAL.—The Board shall establish
12 procedures to carry out the business of the Board,
13 including—

14 (A) a requirement that a quorum of the
15 members of the Board be present to transact
16 business;

17 (B) a requirement that no recommenda-
18 tions may be adopted by the Board, except by
19 the vote of $\frac{2}{3}$ of all members;

20 (C) procedures for establishing national
21 goals and priorities for fish habitat conservation
22 for the purposes of this title;

23 (D) procedures for designating Partner-
24 ships under section 205; and

1 (E) procedures for reviewing, evaluating,
2 and making recommendations regarding fish
3 habitat conservation projects.

4 (2) QUORUM.—A majority of the members of
5 the Board shall constitute a quorum.

6 **SEC. 205. FISH HABITAT PARTNERSHIPS.**

7 (a) AUTHORITY TO APPROVE.—The Board may ap-
8 prove and designate Fish Habitat Partnerships in accord-
9 ance with this section.

10 (b) PURPOSES.—The purposes of a Partnership shall
11 be—

12 (1) to work with other regional habitat con-
13 servation programs to promote cooperation and co-
14 ordination to enhance fish and fish habitats;

15 (2) to engage local and regional communities to
16 build support for fish habitat conservation;

17 (3) to involve diverse groups of public and pri-
18 vate partners;

19 (4) to develop collaboratively a strategic vision
20 and achievable implementation plan that is scientif-
21 ically sound;

22 (5) to leverage funding from sources that sup-
23 port local and regional partnerships;

1 (6) to use adaptive management principles, in-
2 cluding evaluation of project success and
3 functionality;

4 (7) to develop appropriate local or regional
5 habitat evaluation and assessment measures and cri-
6 teria that are compatible with national habitat con-
7 dition measures; and

8 (8) to implement local and regional priority
9 projects that improve conditions for fish and fish
10 habitat.

11 (c) CRITERIA FOR APPROVAL.—An entity seeking to
12 be designated as a Partnership shall—

13 (1) submit to the Board an application at such
14 time, in such manner, and containing such informa-
15 tion as the Board may reasonably require; and

16 (2) demonstrate to the Board that the entity
17 has—

18 (A) a focus on promoting the health of im-
19 portant fish and fish habitats;

20 (B) an ability to coordinate the implemen-
21 tation of priority projects that support the goals
22 and national priorities set by the Board that
23 are within the Partnership boundary;

1 (C) a self-governance structure that sup-
2 ports the implementation of strategic priorities
3 for fish habitat;

4 (D) the ability to develop local and re-
5 gional relationships with a broad range of enti-
6 ties to further strategic priorities for fish and
7 fish habitat;

8 (E) a strategic plan that details required
9 investments for fish habitat conservation that
10 addresses the strategic fish habitat priorities of
11 the Partnership and supports and meets the
12 strategic priorities of the Board;

13 (F) the ability to develop and implement
14 fish habitat conservation projects that address
15 strategic priorities of the Partnership and the
16 Board; and

17 (G) the ability to develop fish habitat con-
18 servation priorities based on sound science and
19 data, the ability to measure the effectiveness of
20 fish habitat projects of the Partnership, and a
21 clear plan as to how Partnership science and
22 data components will be integrated with the
23 overall Board science and data effort.

1 (d) APPROVAL.—The Board may approve an applica-
2 tion for a Partnership submitted under subsection (c) if
3 the Board determines that the applicant—

4 (1) identifies representatives to provide support
5 and technical assistance to the Partnership from a
6 diverse group of public and private partners, which
7 may include State or local governments, nonprofit
8 entities, Indian tribes, and private individuals, that
9 are focused on conservation of fish habitats to
10 achieve results across jurisdictional boundaries on
11 public and private land;

12 (2) is organized to promote the health of impor-
13 tant fish species and important fish habitats, includ-
14 ing reservoirs, natural lakes, coastal and marine en-
15 vironments, and estuaries;

16 (3) identifies strategic fish and fish habitat pri-
17 orities for the Partnership area in the form of geo-
18 graphical focus areas or key stressors or impair-
19 ments to facilitate strategic planning and decision-
20 making;

21 (4) is able to address issues and priorities on a
22 nationally significant scale;

23 (5) includes a governance structure that—

24 (A) reflects the range of all partners; and

1 (B) promotes joint strategic planning and
2 decisionmaking by the applicant;

3 (6) demonstrates completion of, or significant
4 progress toward the development of, a strategic plan
5 to address the decline in fish populations, rather
6 than simply treating symptoms, in accordance with
7 the goals and national priorities established by the
8 Board; and

9 (7) promotes collaboration in developing a stra-
10 tegic vision and implementation program that is sci-
11 entifically sound and achievable.

12 **SEC. 206. FISH HABITAT CONSERVATION PROJECTS.**

13 (a) **SUBMISSION TO BOARD.**—Not later than March
14 31 of each calendar year, each Partnership shall submit
15 to the Board a list of priority fish habitat conservation
16 projects recommended by the Partnership for annual fund-
17 ing under this title.

18 (b) **RECOMMENDATIONS BY BOARD.**—Not later than
19 July 1 of each calendar year, the Board shall submit to
20 the Secretary a priority list of fish habitat conservation
21 projects that includes the description, including estimated
22 costs, of each project that the Board recommends that the
23 Secretary approve and fund under this title for the fol-
24 lowing fiscal year.

1 (c) CRITERIA FOR PROJECT SELECTION.—The
2 Board shall select each fish habitat conservation project
3 to be recommended to the Secretary under subsection (b)
4 after taking into consideration, at a minimum, the fol-
5 lowing information:

6 (1) A recommendation of the Partnership that
7 is, or will be, participating actively in implementing
8 the fish habitat conservation project.

9 (2) The capabilities and experience of project
10 proponents to implement successfully the proposed
11 project.

12 (3) The extent to which the fish habitat con-
13 servation project —

14 (A) fulfills a local or regional priority that
15 is directly linked to the strategic plan of the
16 Partnership and is consistent with the purpose
17 of this title;

18 (B) addresses the national priorities estab-
19 lished by the Board;

20 (C) is supported by the findings of the
21 Habitat Assessment of the Partnership or the
22 Board, and aligns or is compatible with other
23 conservation plans;

1 (D) identifies appropriate monitoring and
2 evaluation measures and criteria that are com-
3 patible with national measures;

4 (E) provides a well-defined budget linked
5 to deliverables and outcomes;

6 (F) leverages other funds to implement the
7 project;

8 (G) addresses the causes and processes be-
9 hind the decline of fish or fish habitats; and

10 (H) includes an outreach or education
11 component that includes the local or regional
12 community.

13 (4) The availability of sufficient non-Federal
14 funds to match Federal contributions for the fish
15 habitat conservation project, as required by sub-
16 section (e);

17 (5) The extent to which the local or regional
18 fish habitat conservation project—

19 (A) will increase fish populations in a man-
20 ner that leads to recreational fishing opportuni-
21 ties for the public;

22 (B) will be carried out through a coopera-
23 tive agreement among Federal, State, and local
24 governments, Indian tribes, and private entities;

1 (C) increases public access to land or
2 water for fish and wildlife-dependent rec-
3 reational opportunities;

4 (D) advances the conservation of fish and
5 wildlife species that have been identified by the
6 States as species of greatest conservation need;

7 (E) where appropriate, advances the con-
8 servation of fish and fish habitats under the
9 Magnuson-Stevens Fishery Conservation and
10 Management Act (16 U.S.C. 1801 et seq.) and
11 other relevant Federal law and State wildlife
12 action plans; and

13 (F) promotes strong and healthy fish habi-
14 tats so that desired biological communities are
15 able to persist and adapt.

16 (6) The substantiality of the character and de-
17 sign of the fish habitat conservation project.

18 (d) LIMITATIONS.—

19 (1) REQUIREMENTS FOR EVALUATION.—No
20 fish habitat conservation project may be rec-
21 ommended by the Board under subsection (b) or
22 provided financial assistance under this title unless
23 the fish habitat conservation project includes an
24 evaluation plan designed using applicable Board
25 guidance—

1 (ii) a scientifically based, direct en-
2 hancement to the health of fish and fish
3 populations, as determined by the Board.

4 (B) STATE AGENCY APPROVAL.—

5 (i) IN GENERAL.—All real property
6 interest acquisition projects funded under
7 this title are required to be approved by
8 the State agency in the State in which the
9 project is occurring.

10 (ii) PROHIBITION.—The Board may
11 not recommend, and the Secretary may not
12 provide any funding for, any real property
13 interest acquisition that has not been ap-
14 proved by the State agency.

15 (C) ASSESSMENT OF OTHER AUTHORI-
16 TIES.—The Fish Habitat Partnership shall con-
17 duct a project assessment, submitted with the
18 funding request and approved by the Board, to
19 demonstrate all other Federal, State, and local
20 authorities for the acquisition of real property
21 have been exhausted.

22 (D) RESTRICTIONS.—A real property in-
23 terest may not be acquired pursuant to a fish
24 habitat conservation project by a State, local

1 government, or other non-Federal entity, un-
2 less—

3 (i) the owner of the real property au-
4 thorizes the State, local government, or
5 other non-Federal entity to acquire the
6 real property; and

7 (ii) the Secretary and the Board de-
8 termine that the State, local government,
9 or other non-Federal entity would benefit
10 from undertaking the management of the
11 real property being acquired because that
12 is in accordance with the goals of a part-
13 nership.

14 (e) NON-FEDERAL CONTRIBUTIONS.—

15 (1) IN GENERAL.—Except as provided in para-
16 graph (2), no fish habitat conservation project may
17 be recommended by the Board under subsection (b)
18 or provided financial assistance under this title un-
19 less at least 50 percent of the cost of the fish habi-
20 tat conservation project will be funded with non-
21 Federal funds.

22 (2) NON-FEDERAL SHARE.—The non-Federal
23 share of the cost of a fish habitat conservation
24 project—

1 (A) may not be derived from another Fed-
2 eral grant program; but

3 (B) may include in-kind contributions and
4 cash.

5 (3) SPECIAL RULE FOR INDIAN TRIBES.—Not-
6 withstanding paragraph (1) or any other provision of
7 law, any funds made available to an Indian tribe
8 pursuant to this title may be considered to be non-
9 Federal funds for the purpose of paragraph (1).

10 (f) APPROVAL.—

11 (1) IN GENERAL.—Not later than 90 days after
12 the date of receipt of the recommended priority list
13 of fish habitat conservation projects under sub-
14 section (b), subject to the limitations of subsection
15 (d), and based, to the maximum extent practicable,
16 on the criteria described in subsection (c), the Sec-
17 retary, after consulting with the Secretary of Com-
18 merce on marine or estuarine projects, shall approve
19 or reject any fish habitat conservation project rec-
20 ommended by the Board.

21 (2) FUNDING.—If the Secretary approves a fish
22 habitat conservation project under paragraph (1),
23 the Secretary shall use amounts made available to
24 carry out this title to provide funds to carry out the
25 fish habitat conservation project.

1 (3) NOTIFICATION.—If the Secretary rejects
2 any fish habitat conservation project recommended
3 by the Board under subsection (b), not later than
4 180 days after the date of receipt of the rec-
5 ommendation, the Secretary shall provide to the
6 Board, the appropriate Partnership, and the appro-
7 priate congressional committees a written statement
8 of the reasons that the Secretary rejected the fish
9 habitat conservation project.

10 **SEC. 207. TECHNICAL AND SCIENTIFIC ASSISTANCE.**

11 (a) IN GENERAL.—The Director, the NOAA Assist-
12 ant Administrator, the EPA Assistant Administrator, and
13 the Director of the United States Geological Survey, in
14 coordination with the Forest Service and other appro-
15 priate Federal departments and agencies, may provide sci-
16 entific and technical assistance to the Partnerships, par-
17 ticipants in fish habitat conservation projects, and the
18 Board.

19 (b) INCLUSIONS.—Scientific and technical assistance
20 provided pursuant to subsection (a) may include—

21 (1) providing technical and scientific assistance
22 to States, Indian tribes, regions, local communities,
23 and nongovernmental organizations in the develop-
24 ment and implementation of Partnerships;

1 (2) providing technical and scientific assistance
2 to Partnerships for habitat assessment, strategic
3 planning, and prioritization;

4 (3) supporting the development and implemen-
5 tation of fish habitat conservation projects that are
6 identified as high priorities by Partnerships and the
7 Board;

8 (4) supporting and providing recommendations
9 regarding the development of science-based moni-
10 toring and assessment approaches for implementa-
11 tion through Partnerships;

12 (5) supporting and providing recommendations
13 for a national fish habitat assessment;

14 (6) ensuring the availability of experts to assist
15 in conducting scientifically based evaluation and re-
16 porting of the results of fish habitat conservation
17 projects; and

18 (7) providing resources to secure state agency
19 scientific and technical assistance to support Part-
20 nerships, participants in fish habitat conservation
21 projects, and the Board.

22 **SEC. 208. COORDINATION WITH STATES AND INDIAN**
23 **TRIBES.**

24 The Secretary shall provide a notice to, and cooperate
25 with, the appropriate State agency or tribal agency, as ap-

1 plicable, of each State and Indian tribe within the bound-
2 aries of which an activity is planned to be carried out pur-
3 suant to this title, including notification, by not later than
4 30 days before the date on which the activity is imple-
5 mented.

6 **SEC. 209. INTERAGENCY OPERATIONAL PLAN.**

7 Not later than 1 year after the date of enactment
8 of this Act, and every 5 years thereafter, the Director, in
9 cooperation with the NOAA Assistant Administrator, the
10 EPA Assistant Administrator, the Director of the United
11 States Geological Survey, and the heads of other appro-
12 priate Federal departments and agencies (including at a
13 minimum, those agencies represented on the Board) shall
14 develop an interagency operational plan that describes—

15 (1) the functional, operational, technical, sci-
16 entific, and general staff, administrative, and mate-
17 rial needs for the implementation of this title; and

18 (2) any interagency agreements between or
19 among Federal departments and agencies to address
20 those needs.

21 **SEC. 210. ACCOUNTABILITY AND REPORTING.**

22 (a) REPORTING.—

23 (1) IN GENERAL.—Not later than 5 years after
24 the date of enactment of this Act, and every 5 years
25 thereafter, the Board shall submit to the appropriate

1 congressional committees a report describing the
2 progress of this title.

3 (2) CONTENTS.—Each report submitted under
4 paragraph (1) shall include—

5 (A) an estimate of the number of acres,
6 stream miles, or acre-feet, or other suitable
7 measures of fish habitat, that was maintained
8 or improved by partnerships of Federal, State,
9 or local governments, Indian tribes, or other en-
10 tities in the United States during the 5-year pe-
11 riod ending on the date of submission of the re-
12 port;

13 (B) a description of the public access to
14 fish habitats established or improved during
15 that 5-year period;

16 (C) a description of the improved opportu-
17 nities for public recreational fishing; and

18 (D) an assessment of the status of fish
19 habitat conservation projects carried out with
20 funds provided under this title during that pe-
21 riod, disaggregated by year, including—

22 (i) a description of the fish habitat
23 conservation projects recommended by the
24 Board under section 206(b);

1 (ii) a description of each fish habitat
2 conservation project approved by the Sec-
3 retary under section 206(f), in order of
4 priority for funding;

5 (iii) a justification for—

6 (I) the approval of each fish
7 habitat conservation project; and

8 (II) the order of priority for
9 funding of each fish habitat conserva-
10 tion project;

11 (iv) a justification for any rejection of
12 a fish habitat conservation project rec-
13 ommended by the Board under section
14 206(b) that was based on a factor other
15 than the criteria described in section
16 206(c); and

17 (v) an accounting of expenditures by
18 Federal, State, or local governments, In-
19 dian tribes, or other entities to carry out
20 fish habitat conservation projects.

21 (b) STATUS AND TRENDS REPORT.—Not later than
22 December 31, 2016, and every 5 years thereafter, the
23 Board shall submit to the appropriate congressional com-
24 mittees a report that includes—

1 (1) a status of all Partnerships approved under
2 this title;

3 (2) a description of the status of fish habitats
4 in the United States as identified by established
5 Partnerships; and

6 (3) enhancements or reductions in public access
7 as a result of—

8 (A) the activities of the Partnerships; or

9 (B) any other activities carried out pursu-
10 ant to this title.

11 (c) REVISIONS.—Not later than December 31, 2016,
12 and every 5 years thereafter, the Board shall consider re-
13 vising the goals of the Board, after consideration of each
14 report required by subsection (b).

15 **SEC. 211. EFFECT OF TITLE.**

16 (a) WATER RIGHTS.—Nothing in this title—

17 (1) establishes any express or implied reserved
18 water right in the United States for any purpose;

19 (2) affects any water right in existence on the
20 date of enactment of this Act;

21 (3) preempts or affects any State water law or
22 interstate compact governing water; or

23 (4) affects any Federal or State law in exist-
24 ence on the date of enactment of the Act regarding
25 water quality or water quantity.

1 (b) AUTHORITY TO ACQUIRE WATER RIGHTS OR
2 RIGHTS TO PROPERTY.—Under this title, only a State,
3 local government, or other non-Federal entity may ac-
4 quire, under State law, water rights or rights to property.

5 (c) STATE AUTHORITY.—Nothing in this title—

6 (1) affects the authority, jurisdiction, or respon-
7 sibility of a State to manage, control, or regulate
8 fish and wildlife under the laws and regulations of
9 the State; or

10 (2) authorizes the Secretary to control or regu-
11 late within a State the fishing or hunting of fish and
12 wildlife.

13 (d) EFFECT ON INDIAN TRIBES.—Nothing in this
14 title abrogates, abridges, affects, modifies, supersedes, or
15 alters any right of an Indian tribe recognized by treaty
16 or any other means, including—

17 (1) an agreement between the Indian tribe and
18 the United States;

19 (2) Federal law (including regulations);

20 (3) an Executive order; or

21 (4) a judicial decree.

22 (e) ADJUDICATION OF WATER RIGHTS.—Nothing in
23 this title diminishes or affects the ability of the Secretary
24 to join an adjudication of rights to the use of water pursu-
25 ant to subsection (a), (b), or (c) of section 208 of the De-

1 partment of Justice Appropriation Act, 1953 (43 U.S.C.
2 666).

3 (f) DEPARTMENT OF COMMERCE AUTHORITY.—
4 Nothing in this title affects the authority, jurisdiction, or
5 responsibility of the Department of Commerce to manage,
6 control, or regulate fish or fish habitats under the Magnu-
7 son-Stevens Fishery Conservation and Management Act
8 (16 U.S.C. 1801 et seq.).

9 (g) EFFECT ON OTHER AUTHORITIES.—

10 (1) PRIVATE PROPERTY PROTECTION.—Nothing
11 in this title permits the use of funds made available
12 to carry out this title to acquire real property or a
13 real property interest without the written consent of
14 each owner of the real property or real property in-
15 terest.

16 (2) MITIGATION.—Nothing in this title permits
17 the use of funds made available to carry out this
18 title for fish and wildlife mitigation purposes
19 under—

20 (A) the Federal Water Pollution Control
21 Act (33 U.S.C. 1251 et seq.);

22 (B) the Fish and Wildlife Coordination Act
23 (16 U.S.C. 661 et seq.);

1 (C) the Water Resources Development Act
2 of 1986 (Public Law 99-662; 100 Stat. 4082);

3 or

4 (D) any other Federal law or court settle-
5 ment.

6 (3) CLEAN WATER ACT.—Nothing in this title
7 affects any provision of the Federal Water Pollution
8 Control Act (33 U.S.C. 1251 et seq.), including any
9 definition in that Act.

10 **SEC. 212. NONAPPLICABILITY OF FEDERAL ADVISORY COM-**
11 **MITTEE ACT.**

12 The Federal Advisory Committee Act (5 U.S.C. App.)
13 shall not apply to—

14 (1) the Board; or

15 (2) any Partnership.

16 **SEC. 213. FUNDING.**

17 (a) AUTHORIZATION OF APPROPRIATIONS.—

18 (1) FISH HABITAT CONSERVATION PROJECTS.—

19 There is authorized to be appropriated to the Sec-
20 retary \$7,200,000 for each of fiscal years 2016
21 through 2021 to provide funds for fish habitat con-
22 servation projects approved under section 206(f), of
23 which 5 percent shall be made available for each fis-
24 cal year for projects carried out by Indian tribes.

1 (2) ADMINISTRATIVE AND PLANNING EX-
2 PENSES.—There is authorized to be appropriated to
3 the Secretary for each of fiscal years 2016 through
4 2021 an amount equal to 5 percent of the amount
5 appropriated for the applicable fiscal year pursuant
6 to paragraph (1)—

7 (A) for administrative and planning ex-
8 penses; and

9 (B) to carry out section 210.

10 (3) TECHNICAL AND SCIENTIFIC ASSISTANCE.—
11 There is authorized to be appropriated for each of
12 fiscal years 2016 through 2021 to carry out, and
13 provide technical and scientific assistance under, sec-
14 tion 207—

15 (A) \$500,000 to the Secretary for use by
16 the United States Fish and Wildlife Service;

17 (B) \$500,000 to the NOAA Assistant Ad-
18 ministrator for use by the National Oceanic and
19 Atmospheric Administration;

20 (C) \$500,000 to the EPA Assistant Ad-
21 ministrator for use by the Environmental Pro-
22 tection Agency; and

23 (D) \$500,000 to the Secretary for use by
24 the United States Geological Survey.

1 (b) AGREEMENTS AND GRANTS.—The Secretary
2 may—

3 (1) on the recommendation of the Board, and
4 notwithstanding sections 6304 and 6305 of title 31,
5 United States Code, and the Federal Financial As-
6 sistance Management Improvement Act of 1999 (31
7 U.S.C. 6101 note; Public Law 106–107), enter into
8 a grant agreement, cooperative agreement, or con-
9 tract with a Partnership or other entity for a fish
10 habitat conservation project or restoration or en-
11 hancement project;

12 (2) apply for, accept, and use a grant from any
13 individual or entity to carry out the purposes of this
14 title; and

15 (3) make funds available to any Federal depart-
16 ment or agency for use by that department or agen-
17 cy to provide grants for any fish habitat protection
18 project, restoration project, or enhancement project
19 that the Secretary determines to be consistent with
20 this title.

21 (c) DONATIONS.—

22 (1) IN GENERAL.—The Secretary may—

23 (A) enter into an agreement with any orga-
24 nization described in section 501(c)(3) of the
25 Internal Revenue Code of 1986 that is exempt

1 from taxation under section 501(a) of that
2 Code to solicit private donations to carry out
3 the purposes of this title; and

4 (B) accept donations of funds, property,
5 and services to carry out the purposes of this
6 title.

7 (2) TREATMENT.—A donation accepted under
8 this section—

9 (A) shall be considered to be a gift or be-
10 quest to, or otherwise for the use of, the United
11 States; and

12 (B) may be—

13 (i) used directly by the Secretary; or

14 (ii) provided to another Federal de-
15 partment or agency through an inter-
16 agency agreement.



**National Fish Habitat Board Meeting
March 8-9, 2015 Draft Agenda and Board Book Tabs**

The Nature Conservancy
4245 North Fairfax Drive
Arlington, Virginia

Conference line: 866-560-0760 **Passcode:** 2832957

Web link: <https://mmancusa.webex.com/mmancusa/j.php?MTID=m884f8dab65ef5cbad8787b41031f94fb>

Tuesday, March 8th

8:45 – 9:00	<u>Coffee and Bagels</u>		
9:00 – 12:00	<u>Executive Session</u> <i>Closed to the Public</i>		
12:00 – 1:00	<u>Lunch</u>		
1:00 – 1:15	<u>Welcome, Introductions, Housekeeping</u> <i>Desired outcomes:</i> <ul style="list-style-type: none">• Board action to approve draft agenda and draft January conference call summary.• Board review of 2016 meeting schedule.• Brief recap of Executive Session Discussion• Board awareness of new Science and Data Committee liaison• Board action to approve the creation of a budget liaison position	Tab 1	Tom Champeau (<i>Board Chair, FWCC</i>)
1:15-1:30	<u>Executive Leadership Team Update</u> <i>Desired outcome:</i> <ul style="list-style-type: none">• Board awareness of members whose terms are slated for review in 2016	Tab 2	Ron Regan (<i>Board Member, AFWA</i>)
1:30 – 2:00	<u>USFWS NFHAP Project Funding Methodology</u> <i>Desired outcome:</i> <ul style="list-style-type: none">• Board discussion of its role in the USFWS Project Funding Allocation	Tab 3	Tom Champeau (<i>Board Chair, FWCC</i>)
2:00 – 2:15	<u>Secretarial MOU Update</u> <i>Desired outcome:</i> <ul style="list-style-type: none">• Board awareness of MOU Renewal Status		Emily Greene (<i>Board Staff, NOAA contractor</i>)
2:15 – 2:45	<u>Presentation of the FHP Evaluation Report</u> <i>Desired outcome:</i> <ul style="list-style-type: none">• Board approval of the 2015 FHP Evaluation Report	Tab 4	Tom Champeau (<i>Board Chair, FWCC</i>)
2:45 - 3:00	<u>Break</u>		

3:00 – 3:30	<p><u>Partnerships Committee Update</u> <i>Desired outcomes:</i></p> <ul style="list-style-type: none"> • Board awareness of the Committee’s role, tasks, and membership • Board action to address the Committee’s need to revitalize/repopulate its membership and priorities. 	Tab 5 Stan Allen (<i>Board Member, PSMFC</i>)
3:30 – 4:15	<p><u>Fish Habitat Partnership Presentation</u> <i>Desired outcome:</i></p> <ul style="list-style-type: none"> • Board awareness of the accomplishments and challenges facing the Fish Habitat Partnership (FHP). 	Steve Perry (<i>Coordinator, Eastern Brook Trout Joint Venture</i>)
4:15 – 5:00	<p><u>Beyond the Pond Update</u> <i>Desired outcomes:</i></p> <ul style="list-style-type: none"> • Board awareness of Beyond the Pond progress. • Board familiarity with Beyond the Pond website 	Tab 6 Mike Andrews (<i>Board Member, TNC</i>) and Eli Gerson (<i>Design and Image, Inc.</i>)
5:00	<u>Recess</u>	
5:00 – 7:00	Informal Gathering @ The Greene Turtle 900 N Glebe Rd, Arlington, VA 22203	
Wednesday, March 9th		
8:45 – 9:00	<u>Coffee and Bagels</u>	
9:00 – 9:15	<p><u>Legislative Update</u> <i>Desired outcome:</i></p> <ul style="list-style-type: none"> • Board awareness of the status of the Act and recap of Executive Session discussion 	Jen Mock Schaeffer (<i>NFHP Legislative Team, AWFA</i>)
9:15 – 9:30	<p><u>National Drought Resilience Partnership and White House Water Summit</u> <i>Desired outcome:</i></p> <ul style="list-style-type: none"> • Board awareness of the initiative 	Ellen Gilinsky (<i>Board Member, EPA</i>)
9:30 – 10:30	<p><u>Presentation of the 2015 Habitat Assessment Report</u> <i>Desired outcomes:</i></p> <ul style="list-style-type: none"> • Board awareness of 2015 National Assessment report 	G. Whelan (<i>SDC Co-Chair, MI DNR</i>), P. Ruhl (<i>SDC Co-Chair, USGS</i>), and D. Wiefelich (<i>USGS</i>)
10:30 – 10:45	<u>Break</u>	
10:45 – 11:15	<p><u>Communications Committee Update</u> <i>Desired outcome:</i></p> <ul style="list-style-type: none"> • Board awareness of progress on Communications Strategy development. 	Tab 7 Ryan Roberts (<i>AFWA, Board staff</i>)



11:15 – 11:30	<u>Celebrating 10 years of NFHP</u> <i>Desired outcome:</i> <ul style="list-style-type: none">• Board discussion of 10-Year Anniversary Event	Tab 8	Chris Moore (<i>Board Vice-Chair, Mid-Atl. FMC</i>)
11:30 – 11:50	<u>NFHP Awards</u>		Ryan Roberts (<i>Board staff, AFWA</i>)
11:50 – 12:00	<u>Meeting Wrap-Up</u>		Tom Champeau (<i>Board Chair, FWCC</i>)
12:00	<u>Adjourn</u>		



Draft National Fish Habitat Board Conference Call and WebEx Summary: January 20, 2016

Members present:

Peter Aarrestad (NEAFWA)	Mike Leonard (ASA)
Stan Allen (PSMFC)	Ross Melinchuk (SEAFWA)
Doug Beard (USGS)	Bryan Moore <i>for</i> Chris Wood (TU)
Tom Bigford (AFS)	Chris Moore (MAFMC)
Doug Boyd (SBPC) Sam Rauch (NMFS)	Kelley Myers (MAFWA)
Tom Champeau (At-Large State Seat)	Ron Regan (AFWA)
Jimmy Hague <i>for</i> Whit Fosburgh (TRCP)	Dan Shively <i>for</i> Rob Harper (USFS)
David Hoskins <i>for</i> Dan Ashe (USFWS)	

Members absent:

Mike Andrews (TNC), Ellen Gilinsky (EPA), Ed Schriever (WAFWA), Ron Skates (NAWS), and Sean Stone (CCA)

Motions approved by consensus:

- October National Fish Habitat Board Meeting Summary
- January Board Conference Call and WebEx Agenda
- Motion by David Hoskins, seconded by Stan Allen: Approve 2016 Board budget and priorities, excluding Priorities A, E, G, and J and corresponding budget lines, with adjustment of USFWS Funds from 160k to 156k.
- Motion by Chris Moore, seconded by Kelley Myers: Approve 2016 Board budget priorities A, E, and G and corresponding budget lines (Federal agencies abstain from this vote). Also included in this decision was an action for staff to make a friendly amendment to combine Priorities A and J (duplicates of the same priority) and re-letter the priorities.

Updates and discussions:

- 2016 Budget and Priorities
Staff noted major changes that had been made to the budget format and priorities presented in October. Major changes to the 2016 Priorities included the separation of Priority P (ensure the function of the SDG) from Priority M (completing the 2015 Assessment) and the addition of Priority R (Hosting an FHP workshop). Revisions to the formatting of the budget were also noted (Board priorities in the left columns: revenue at the top, balanced budget shown in green cells, and needs outside of the budget shown in red cells below.) USFWS noted that carry-over into 2017 will be approximately 30k less than carry-over into 2016 and that the amount noted for MSU assessment work should be revised to 156k from 160k. Staff noted the reasoning behind the top two unfunded priorities [as outlined in the Board Book], and USGS noted that it may be able to help with funding Priority N (completion of the project tracking database), but will not know for sure until the allocations have been finalized (likely February).
- Secretarial MOU – Letters to the Departments seeking MOU renewal have been drafted. The letters will be signed and sent to the Secretaries and to respective agencies after gathering contact information from the Federal Caucus.
- USFWS Funding Methodology – USFWS noted the change to Criterion 4 (Project Completion and Success). USFWS noted that 15 of 18 eligible FHPs applied for project funding and that USFWS hopes to get funds out the door by April or May. A question was raised with regard to variation of overhead charges between regions and the impact that it has with regard to Criterion 6.
- Communications Update – It was noted that the Beyond the Pond website is expected to go live in the

near future, and that the BOD will meet in person in the Spring. A brief overview of what the NFHP Communications Plan is expected to contain was provided, with an update that the Communications Committee is expected to meet in the near future.

- Legislation Update – It was noted that the Senate EPW held a mark-up of the Sportman’s Act and the NFCA amendment was added to the Bill with bipartisan support. It was noted that Senator Murkowski and staff played an important role in working with other offices to alleviate concerns with the Bill and that letters of thanks to Congressional office are welcomed. It is unclear how the legislation will fair in the full Congress.
- ELT Update – It was noted that the two newest members of the Board, Peter Aarrestad (NEAFWA) and Ross Melinchuk (SEAFWA), had been approved and discussions regarding NFWF were ongoing.
- March Executive Session – An Executive Session of the Board and staff to discuss where it’s been and where it’s going (the who, what, when, where, and why) will be held in March. [note: this session will be closed to the public].
- AFS Update – AFS is seeking input into the development of a list of fisheries information that it will provide to the incoming administration. Suggestions and ideas are welcomed, which will be considered and shared by AFS.
- 2015 National Fish Habitat Assessment – The major content for the report has been written and a final copy is needed by the web team in order to have a Beta version of the web report by the March Board meeting.

Action items:

- EBTJV will send an email to USFWS noting the concern and example related to Criterion 6 of the USFWS NFHP Project Funding Method, which will be discussed with the regions.
- A link to the Beyond the Pond website will be provided to the Board via email, when it goes live.
- The ELT will meet in February to discuss the NFWF seat vacancy.
- Board members are encouraged to send suggested discussion items for the March executive session to emily.greene@noaa.gov
- AFS will provide background materials pertaining to the new administration initiative to staff to provide to the Board.

Future Board meetings:

- March 8-9 in Arlington, June 29 teleconference, Summer teleconference (for new Board members), October 26-27 in the Florida Panhandle

Board approved documents:

- October Board meeting summary, 2016 Budget and Priorities (as noted in the motions section above).

Additional attendees:

Doug Besler (EBTJV)	Steve Krentz (Great Plains FHP)
Craig Goodwin (NRCS)	Cecilia Lewis (Board Staff – USFWS)
Jessica Graham (SARP)	Pat Montanio (NMFS-NOAA)
Emily Greene (Board Staff – NOAA contract)	Steve Perry (EBTJV)
Roger Harding (AKDFG)	Taylor Pool (AFS)
Lisa Havel (ACFHP)	Ryan Roberts (Board Staff - AFWA)
David Hoge (USDA)	Peter Ruhl (SDC Co-Chair USGS)

National Fish Habitat Board Meetings 2016 -2017

Year	Date	Location	Comments
2016	January 20 (Wed)	Tele/web conference	Annual budget & priorities
	March 8-9 (Tues-Wed)	Arlington, VA	The Nature Conservancy
	June 29 (Wed)	Tele/web conference	
	Summer	Tele/web conference	Introductory call for new members.
	October 26-27 (Wed-Thurs)	Florida Panhandle	Panama City, Pensacola, or Destin.
2017	January 18 (Wed)	Tele/web conference	Annual budget & priorities
	March 7-8 (Tues – Wed)	Washington, DC Area	Reserve room at TNC HQ
	June 28 (Wed)	Tele/web conference	
	Summer	Tele/web conference	Introductory call for new members.
	October 18 – 19 (Wed-Thurs)	TBD – Staff welcome suggestions from the Board.	There are many places where the Board has not met (e.g. Northern Great Plains and Ohio River Basin). Staff welcome suggestions for specific locations within these regional examples or beyond.

Record of Past Board Meetings 2006 -2014

Year	Date	Location	Facility
2006	September 22	Aspen, Colorado	Hotel
	November 16	Washington, DC	Hall of States
2007	January 16	Teleconference	
	March 1-2	Washington, DC	Environmental Protection Agency
	June 6-7	Washington, DC	Commerce Department
	October 2-3	Arlington, VA	Hotel
2008	February 20-21	St. Petersburg, FL	Tampa Bay Watch
	May 13-14	Arlington, VA	The Nature Conservancy
	October 7-8	Arlington, VA	The Nature Conservancy
2009	March 4-5	Harrisburg, PA	Pennsylvania Fish & Boat Commission
	June 25, 2009	Leesburg, VA	National Conference Center

	October 7-8	Arlington, VA	The Nature Conservancy
2010	January 15	Teleconference	
	March 3-4	Memphis, TN	Ducks Unlimited
	June 9-10	Silver Spring, MD	NOAA headquarters
	August 25	Teleconference	
	October 12-14	Portland, OR	Columbia River Intertribal Fisheries Commission
2011	January 13	Teleconference	
	March 11	Teleconference	
	April 12-13	Arlington, VA	The Nature Conservancy
	July 26-27	Madison, WI	Hotel
	October 19-20	Albuquerque, NM	FWS Regional Office
2012	January 12	Teleconference	
	March 1	Teleconference	
	April 17-18	Arlington, VA	The Nature Conservancy
	July 10-11	Portland, ME	Hotel
	October 16-17	Ridgedale, MO	Big Cedar Lodge
2013	January 16	Teleconference	
	February 26-27	Arlington, VA	FWS headquarters
	April 15	Teleconference	
	June 25-26	Salt Lake City, UT	Utah State Capitol
	October 22-23	Charleston, SC	SC DNR
2014	January 15	Teleconference	
	March 9-10	Denver, CO	
	June 25	Tele/web conference	
	November 8-9	National Harbor, MD	Held in conjunction w/ RAE Summit
2015	January 14	Tele/web conference	
	March 3-4	Arlington, VA	The Nature Conservancy
	June 24	Tele/web conference	
	September 22	Tele/web conference	Introductory call for new members and interested individuals.
	October 20-21	Sacramento, CA	Hotel

Total: 42 (in-person and teleconference) meetings held to date

Title: Executive Leadership Team Update

Desired outcome: Board awareness of members whose terms are slated for review in 2016

Background: The terms of the individuals listed below are up for review in 2016. The ELT will convene prior to the Board's June conference call to make decisions. We ask that the individuals listed below note whether they would like to be considered for another term (three years).

Board members whose terms are up for review in June 2016:

Stan Allen (Pacific States Marine Fisheries Commission)

Mike Andrews (The Nature Conservancy)

Ellen Gilinsky (Environmental Protection Agency)

Mike Leonard (American Sportfishing Association)

Board member whose term is up for review in October 2016:

Chris Moore (Mid-Atlantic Fishery Management Council)

Title: USFWS NFHAP Project Funding Methodology

Desired outcome(s): Board discussion of its role in the USFWS's Project Funding Allocation and, specifically, its role in reviewing FHP Work Plans and Accomplishments Reports.

Background: From 2008 to 2013, a joint FWS/Board Project Review Team composed of NFH Board members, USFWS Fisheries Program Assist Regional Directors, and USFWS headquarters leadership, completed a review of aquatic habitat conservation projects selected by the USFWS to receive NFHAP project funds. Annually, a Joint Project Review Team provided (qualitative) feedback to the USFWS on the quality of proposed projects, recommended project ranking order, and any other relevant comments or recommendations.

In 2014, the USFWS implemented a new method for allocating FWS NFHAP project funds. The new method has eight performance-based criteria that incorporate the full scope of FHP activities. In contrast to the previous allocation method, which focused on selecting and funding *individual projects*, the new allocation method takes a broader look at FHP activities and allocates project funds based on *overall performance*.

NFH Board review and comment are also a component of the USFWS's new allocation method. The Board is being asked to provide quantitative feedback on FHP Work Plans and Accomplishments Reports between January and February, annually.

Briefing Book Materials: Tab 3b - Presentation on NFH Board's past participation in project reviews and review expectations under the USFWS's new allocation method



USFWS NFHAP Project Funding Allocation Process

Board Review of FHP Work Plan and Accomplishments Reports

NFH Board Meeting
March 8 - 9, 2016



Board Participation Overview

Previous Process

- Joint review by FWS and Board
- Narrower scope
 - Individual projects
- Timing: April/May, annually

Current Process

- Independent reviews by FWS and Board
- Broader scope
 - Overall performance
- Timing: Jan/Feb, annually



Board Participation Overview

Previous Process

- Board recommendations provided later in review process
- Project info from Fisheries Operational Needs System
- Virtual / Led by National Coordinator

Current Process

- Board recommendations provided earlier in review process
- FHP Work Plans and Accomplishment Reports
- Virtual / Self-directed review



Review Process Involvement *Prior* to 2014

- Reviewed by: FWS ARDs & Board members
- Feedback Type: Qualitative, only
 - Priority ranking order (FWS)
 - Improving project quality (FHPs)
 - Project selection process (FHP and FWS)



FWS Project Funding Methodology

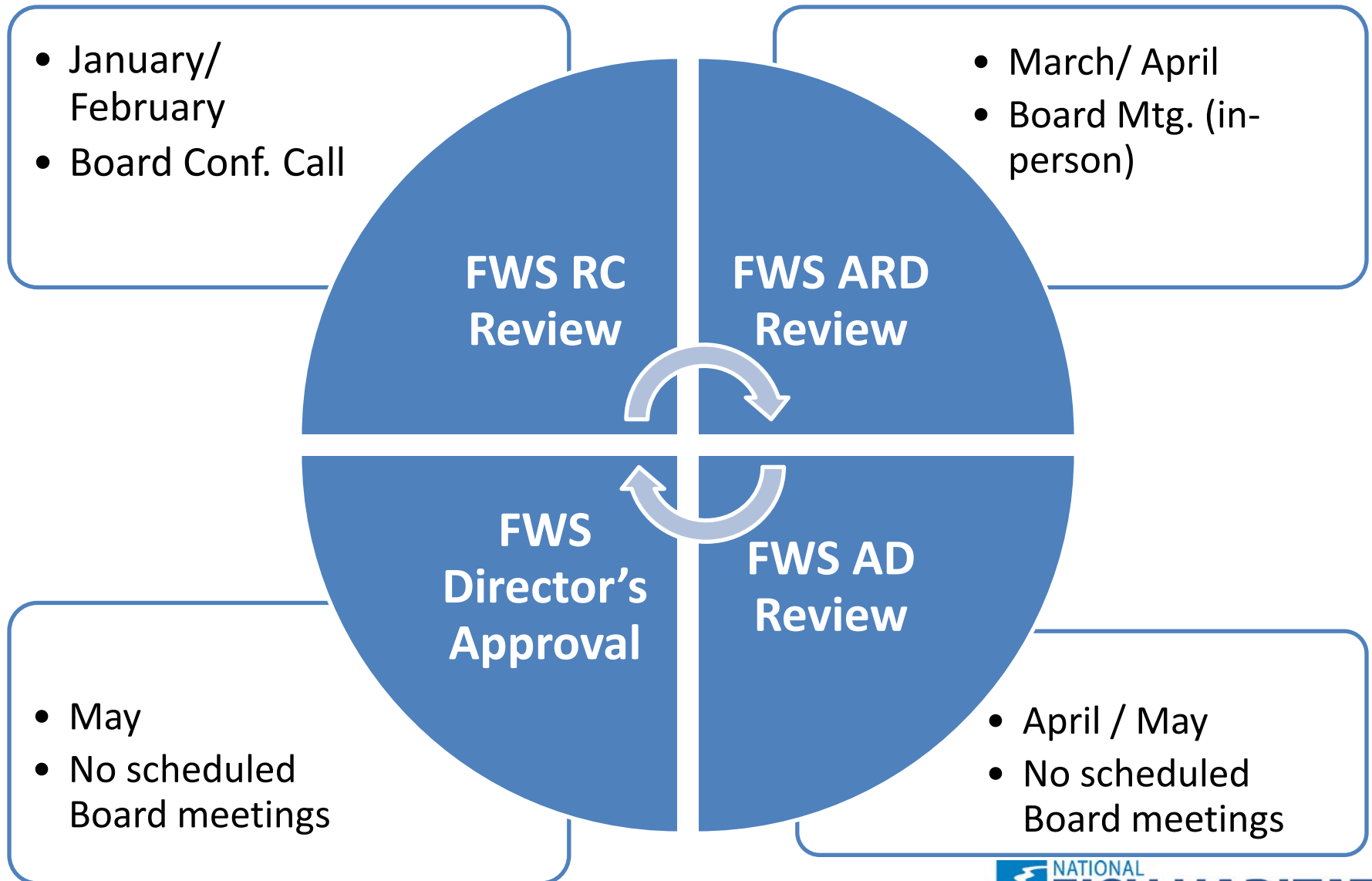
- Implementation in fiscal year 2014
- (8) performance-based criteria
- Timeline: January through May, annually
- FHP Work Plan and Accomplishments Reports, submitted, annually
- Funding amounts determined by overall performance score



After Implementation of FWS Methodology

- Review by: Board or its representatives
- Feedback Type: Qualitative
 - Alignment w/Action Plan goals & objectives, and National Conservation Strategies
 - Direct links to FHP strategic plans
 - Quality of proposed projects
 - Improving project selections

Timing: Review Process and Board Mtgs.



Review Process Expectations/Outcomes

Who

- NFH Board members (subset), Board appointed committee, etc.

What

- Qualitative recommendations to the FWS for consideration
 - Alignment w/Action Plan goals & objectives, and National Conservation Strategies
 - Direct links to FHP strategic plans

When

- January / February, annually

How

- Using information provided in FHP Reports
- Provide written feedback in the form of a memo, spreadsheet with cover page, or other written format determined by the Board

Fish Habitat Partnership Performance Evaluation
Final Report
February 2016

Introduction

The National Fish Habitat Partnership is an unprecedented effort to build and support partnerships that are strategically focused on fish habitat conservation. The National Fish Habitat Action Plan (Action Plan) guides this initiative and establishes processes for bringing partners together, challenging them to collaboratively advance strategic priorities, as well as measure and report on the outcomes of their conservation actions. The geographic scope and focus on fish habitat conservation distinguishes the National Fish Habitat Partnership from other more local fish habitat initiatives.

To uphold the high standards set by the Action Plan, the National Fish Habitat Board (Board) adopted a set of ten measures aimed at evaluating Fish Habitat Partnership performance levels for core operational functions (i.e., coordination, scientific assessment, strategic planning, data management, project administration, communications, and outreach). At its July 2012 meeting, the Board voted to begin the first “formal” performance evaluation of Fish Habitat Partnerships in January 2015, covering a 3-year period (2012-2014), and to repeat this process every 3 years thereafter.

Why a Board Evaluation Process?

The USFWS developed a new funding allocation method in 2013 that required each FHP to submit information used by USFWS staff to score various criteria. While NFHP Board did not want to duplicate this process, our main objective was to conduct reviews of FHP progress from the Boards perspective. Also in the event the National Fish Habitat Conservation Act becomes law, the Board may have increased responsibility to review FHP performance and allocate funding provided under the Act. For this reason, the Board tasked the Partnership Committee with developing a set of ten performance measures (attachment 1). Measures 1 – 4 are most similar to USFWS Criterion, however, Measures 5 – 10 differ most from the USFWS criteria.

Objectives of the 2015 Evaluation

Since the Board currently is not using the results to allocate funding, the Evaluation Team had several objectives for the 2015 Evaluation Process:

1. Test the process to achieve improvement.
2. Engage Board members in the process to help them learn more about the FHPs.
3. Establish two-way communication with FHPs and Evaluation Team to improve the process.
4. Identify successful strategies of more established FHPs to aid newly-formed ones.
5. Identify areas of shared successes and challenges among FHPs

Performance Evaluation Process

The Partnership Committee developed the performance evaluation process that was approved by the Board in 2015. The Board also approved an Evaluation Team composed of three NFHP staff (including Science and Data Committee Co-Chairs) and three Board members along with the evaluation schedule:

1. Board staff distributes FHP Performance Evaluation form, spreadsheet, and scoring criteria on behalf of the Board January 16, 2015
2. Each FHP submits a completed performance evaluation form COB March 31, 2015
3. Board staff distributes compiled FHP evaluation forms and scoring materials to the Review Team April 3, 2015
4. Review Team provides completed scoring materials to Board staff for compilation April 24, 2015
5. Review Team discusses scoring results via conference call Week of April 27
6. Review Team provides evaluation outcomes to FHPs for review May 5, 2015
7. FHPs provide responses to Review Team May 22, 2015
8. Review Team convenes via conference call to finalize FHP evaluation scores Week of June 1, 2015
9. Final scores are provided to the FHPs and included in the Board briefing book June 10, 2015
10. Finalized scores presented to the Board via teleconference/webinar June 24, 2015

Summary of Results of Team Scoring

Each team member scored all FHPs after two meetings were held to attempt to calibrate on how scoring would be done. Calibration among team members proved difficult as each team member had differing levels of knowledge about each FHP and this likely affected scoring. However, with each member scoring all the FHPs, an acceptable level of consistency was achieved. Scores ranged from 27 to 37 (40 maximum possible score) with a mean of 33 (Table 1). Three FHPs did not participate for varying reasons. The evaluation team evaluated which measures scored highest to lowest across all 16 FHPs (Table 2).

Table 1. Total score for 16 FHPs that participated in the evaluation.

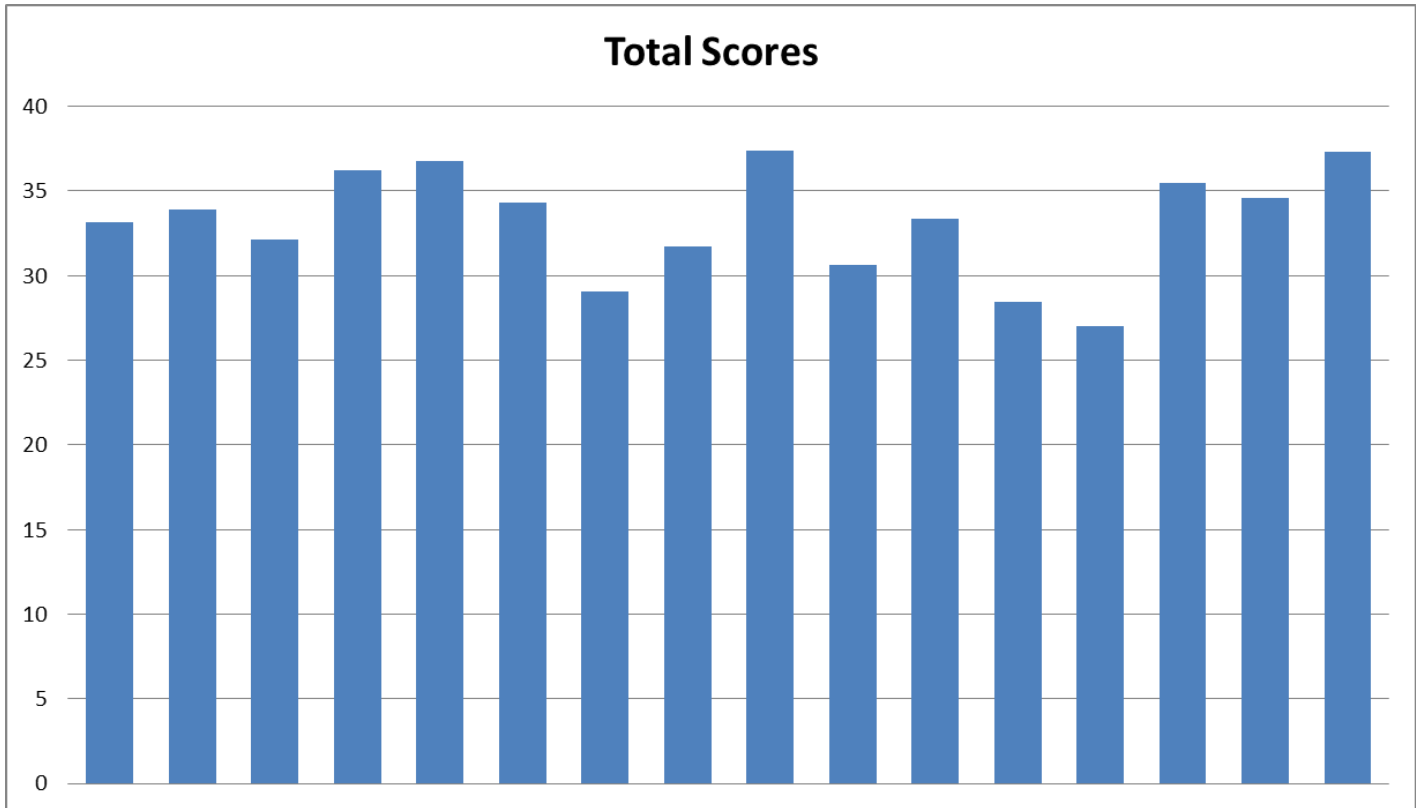
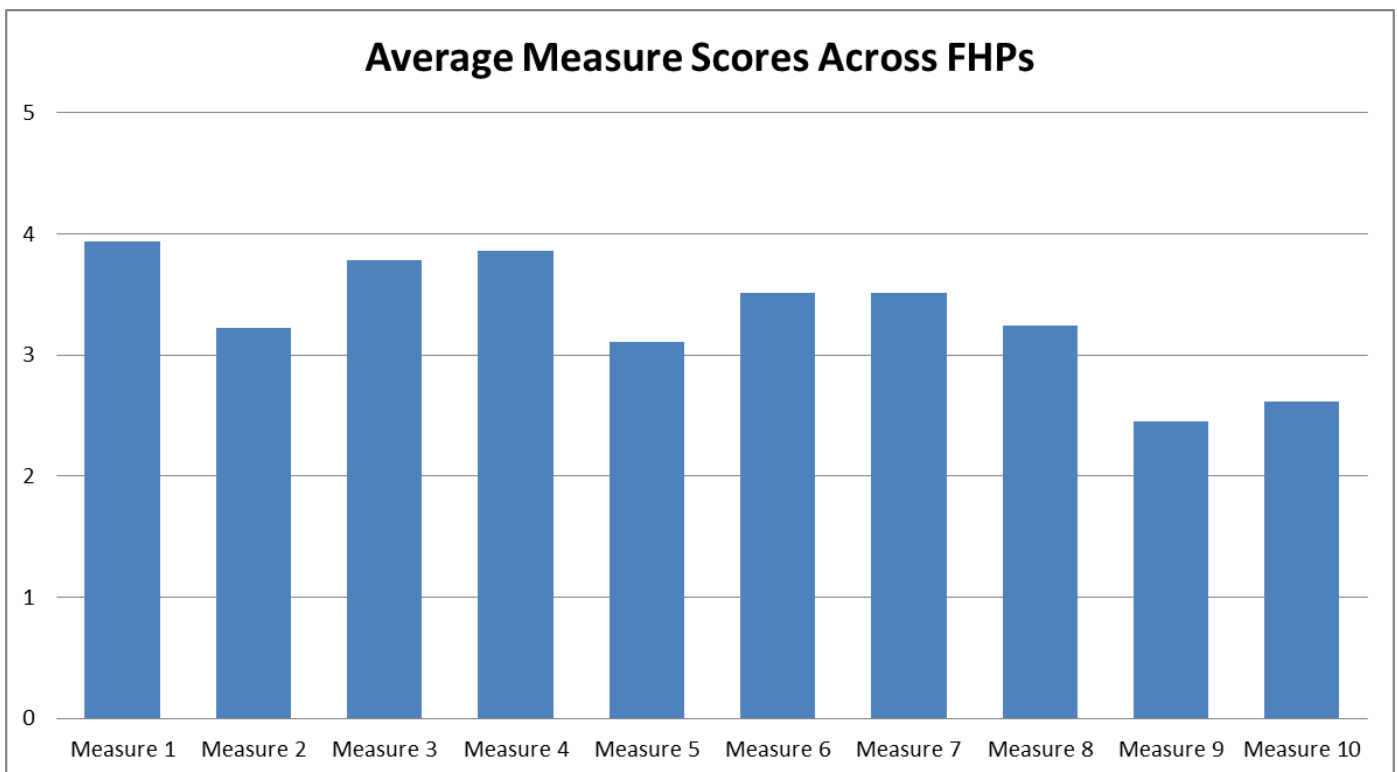


Table 2. Average score for each of the ten performance measures across 16 FHPs.



Measures where FHPs demonstrated excellent (3.5 and above) progress:

1. How well FHP projects focused on addressing FHP and/national conservation priorities.
3. How well FHP projects focused on protecting vulnerable fish habitats and causes for declines.
4. How well FHP project funding was matched by non-NFHP and federal dollars.
6. How well FHPs engaged with other FHPs and/or regional conservation programs.
7. How well FHPs used resource condition assessments to prioritize projects.

Measures where FHPs demonstrated good progress (3.0 to 3.4):

2. How well FHPs used effectiveness measures to document outcomes of projects.
5. How well FHPs used minimum benchmarks for prioritizing projects (attachment 2).
8. How well FHPs engaged in external outreach.

Measures where FHPs demonstrated fair progress (below 3.0):

9. How well FHPs coordinated with NFHP Science and Data Committee.
10. Progress made achieving FHP's conservation priorities.

Results of the Outcomes of Team and FHP Discussions

The results of individual FHP scores were sent to each Coordinator and/or Steering Committee Chair. The Evaluation Team broke up into sub-teams of 2 or 3 that together discussed the evaluation objectives, process, and results with Coordinators and/or Steering Committee Chair. The Evaluation Team then met jointly to compare and compile the outcomes from all the follow up conversations.

Several issues came out of this evaluation process.

- Overall, FHP coordinators and committee members felt the process was fair and accurately measured three year progress.
- Follow-up conversations between the evaluation team and FHPs was extremely beneficial.
- FHPs that have been established longer have a scoring advantage over newer FHPs; however, the process can help inform and assist in FHP development and improvement.
- The Board process and USFWS are somewhat duplicative with main difference in the Board process occurs every three years and the USFWS reviews annually.
- The completion of the Project Tracking Database will allow NFHP staff to compile results for measures 1 – 4.
- FHPs differ in their approach and strategy as some are focused on providing data from assessments to influence project development of other entities, while other FHPs may focus on a combination of assessments, on-the-ground projects, or other FHP responsibilities.

- Re-wording several of the measures will improve clarity and provide more consistent results for the next evaluation.
- Better coordination and communication between FHPs and the NFHP Science and Data Committee is needed to address expectation and data submission lapses.
- Confusion over the objectives of this evaluation needs to be reduced. This first Board evaluation was intended to inform the Board on FHP progress and test this evaluation process. Most FHPs thought the Board would use the results to prioritize funding. While this could be an objective for future evaluations, we should have made this clear that funding allocations would not be influenced by the 2015 evaluation.

Recommendations to the Board

1. The 2015 FHP Evaluation Team recommends that this evaluation process be improved and repeated in 2018.
2. The Partnership Committee should include interested FHP Coordinators and Review Team members to consider and recommend improvements to the performance measure wording and overall evaluation process for Board consideration during 2016.

Title: Partnerships Committee Update

Desired outcomes:

- **Board awareness** of the Committee's role, tasks, and membership
- **Board action** to address the Committee's need to revitalize/repopulate its membership and priorities for 2016.

Background:

Partnerships Committee

The Partnerships Committee serves as a forum for preliminary discussions, fact-finding, and formulating recommendations for Board actions that affect Fish Habitat Partnerships.

Members:

David Wigglesworth – USFWS

Chairs

Heidi Keuler – USFWS/FFP

Stan Allen – PSMFC/NFHB Member

Jeff Boxrucker – Reservoir FHP

Steve Perry - EBTJV

Lisa Havel – ACFHP

Kayla Barrett – USFWS/Desert FHP

The following priorities were approved by the Board for the Partnerships Committee to address in 2016:

- Priority B: Review current NFHP National Conservation Need and amend as needed.
- Priority C: Development of a process that provides a priority ranking of multiple FHP project proposals that are combined for submission to a funding source.
- Priority D: Review FHP performance evaluation response forms and identify the scale and scope of the linkages between FHP priorities and the NFHP National Conservation Strategies.

Staff Recommendation:

- Board tasks Committee leadership to work with staff to revitalize/repopulate its membership and priorities for 2016.

Analysis:

- One primary issue at present is the make-up of the Partnership Committee. Several members of the committee have left NFHP; several more are indicating that they are too busy to continue.
- A second issue is that there are a number of other issues that the Committee has undertaken or proposed that could be addressed in addition to the above.

Title: Beyond the Pond Update

Desired Outcome:

- Board awareness of Beyond the Pond progress.
- Board familiarity with Beyond the Pond website

Background:

The National Fish Habitat Fund, which was approved by the IRS in June 2015 as a 501(c)(3) non-profit, was established to help partnerships seek additional funding for on-the-ground projects and activities. The National Fish Habitat Fund is marketed under the title and logo, Beyond the Pond.

Recent activities of Beyond the Pond include:

- Board member development/fund-raising planning/Development of Beyond the Pond collateral
- Establishing Chapter Recognition Agreements
- Black Sea Bass Grant Program (ACFHP)
- Beyond the Pond Website



National Fish Habitat Board Meeting
March 8-9, 2016
Tab 7a

Title: Communications Committee Update

Desired outcomes:

- Board awareness of progress on Communications Strategy development

Background:

The National Fish Habitat Partnership Communications Committee has developed a Communications Strategy for 2016 - 2019. Elements covered in this strategy, include:

- Strategy Overview
- Communication Platforms
- Messaging
- Campaigns
- Activities
- Results Monitoring

Briefing Book Materials:

Tab 7b - Communications Strategy (Outline)



Communications Strategy (Outline)

Background:

The communications strategy for the National Fish Habitat Partnership is critical to issuing and promoting a common message and synergy among the Board, state agencies, federal caucus, fish habitat partnerships and developing “candidate” fish habitat partnerships and the national fish habitat partner coalition. The strategy also emphasizes the importance of maintaining the National Fish Habitat Partnership as a state-led effort in cooperation with our other partners.

This communications strategy framework guides the mission of the National Fish Habitat Partnership, as it strives to build an engaged community concerned with the conservation of our nation’s aquatic habitats. The communications strategy as described in this document, will be implemented and, managed by the communications committee, and overseen by the National Fish Habitat Board to help meet the objectives set forth by the 2nd Edition of the National Fish Habitat Action Plan.

The direction of overall communications through the communications committee will improve the National Fish Habitat Partnership and make it a vehicle to engage additional partners as well as fuel the further growth of the Partners Coalition, bringing new opportunities to expand the constituency base of existing Fish Habitat Partnerships.

The committee emphasizes the value of communications as a tool for fostering lasting, productive relationships among diverse partners. These relationships are what makes all our efforts to revive fisheries and waterways effective and builds credibility with a growing audience.

Priority actions of this strategy are based on objectives 3 and 5 from the 2nd Edition of the National Fish Habitat Action Plan (Published 2012):

Objective 3:

Broaden the community of support for fish habitat conservation by increasing fishing opportunities, fostering the participation of local communities –especially young people – in conservation activities, and raising public awareness of the role healthy fish habitats play in the quality of life and economic well- being of local communities.

Objective 5:

Communicate the conservation outcomes produced collectively by Fish Habitat Partnerships as well as new opportunities and voluntary approaches for conserving fish habitat to the public and conservation partners.

The overarching communications objectives that this strategy is built upon are:

Communication Objectives

1. Increase messaging reach of NFHP & FHPs through new organizations and partners
2. Increase the reach and awareness of the Waters to Watch Campaign
3. Create a resource database for FHPs to utilize in their development
4. Work with Partners and FHPs to create tools and informational items for FHPs and NFHP partners to tell the story of NFHP and clearly explain the value of aquatic habitat conservation
5. Communicate Importance of National Fish Habitat Assessment and advocate for usage of tools associated with Assessment
6. Create tools for promotion of the National Fish Habitat Conservation through Partnerships Act.
7. Compliment outreach efforts of Beyond the Pond.

For 2016 the Communications Strategy will cover in detail and set forth a plan for the following:

2016 Deliverables/Campaigns

- March – Release of the 2015 National Fish Habitat Assessment Report
- April - 2015 Annual Report
- May – 10th Anniversary of Waters to Watch
- June/July – Video campaign celebrating 10 years of the Partnership and Accomplishments
- October – National Fish Habitat Fall Board meeting

At the end of each year that the strategy covers, there will be a review to see if the strategy helped the partnership meet key targets related to:

- **Social Media**
- **Email Marketing**
- **Website Traffic**

Title: Celebrating 10 years of the National Fish Habitat Partnership

Desired outcome(s): Board discussion of 10-Year Anniversary Event

Background: The first edition of the National Fish habitat Action Plan was signed in April 2006. As such, this year is an opportunity to celebrate the successes of the National Fish Habitat Partnership with a reception and/or other type of event. We would like to discuss your ideas for such an event(s):

- What is our message? (i.e. what accomplishments do we wish to highlight?)
- Who do we want to target? (e.g. members of Congress, NFHP coalition, etc.)
- What is method? (e.g. a reception at the October Board meeting, or other event?)
- What funds are available to implement this?
- Who will take the event planning on?