

American Fisheries Society  
Parent Society Resolution  
Adopted August 19, 2008

1 RESOLUTION ON THE DEVELOPMENT OF INSTREAM FLOW  
PROGRAMS

WHEREAS, the mission of local governing fish and wildlife agencies is to conserve, protect, restore, enhance and manage fish and wildlife resources and their habitats for current and future use, benefit, and enjoyment by state residents and visitors, and;

WHEREAS, the mission of local governing environmental protection agencies is to conserve, manage and provide for maximum public benefit of the natural resources, and;

WHEREAS, these mission statements are consistent with the Public Trust Doctrine, which requires that navigable waters, tide lands, and fish and wildlife resources be managed for the benefit of the citizens to ensure long-term sustainability so as to prevent or minimize harm to these resources, whenever possible, and;

WHEREAS, in some cases the local governing fish and wildlife agency does not have the regulatory authority to issue water use permits nor the ability to coordinate with and effectively influence the permitting decisions of the local governing environmental agency regarding water use, and:

WHEREAS, it is necessary to ensure that sufficient instream flow remains for fish and wildlife resources and outdoor recreational pursuits, and;

WHEREAS, the natural flow regime of streams and rivers is inherently variable and this variability is critical to natural ecosystem function and native biodiversity in streams and their associated riparian areas and floodplains, and;

WHEREAS, since some local governing resource agencies currently recommend instream flows that are a single flow value (e.g.  $7Q_{10}$ ) to accommodate instream habitat needs for aquatic life, which is scientifically unjustifiable and which is typically less than the average natural flow of the stream, fails to reflect flow variability and cannot meet the habitat needs for all species nor maintain healthy fisheries,

WHEREAS, the American Fisheries Society has adopted and published Policy Statement #9 – Effects of Altered Stream Flows on Fishery Resources (Revised) -- which states “The concept of ‘minimum flows’ and other low flow standards based on statistical records instead of biology (whereby it is assumed that needs of stream fishes can be met as long as some water remains) are seriously outdated.”, therefore be it

RESOLVED, the American Fisheries Society, assembled at its annual meeting on this 19<sup>th</sup> day of August in the year 2008 at Ottawa, Ontario urges the local governing and provincial fish and wildlife and the local governing and provincial environmental protection agencies in North America to commit the necessary staff and financial resources to the development of instream flow protection programs that contain all the elements listed below:

- ! Use an interdisciplinary approach to conduct instream flow studies that evaluate and prescribe instream flow needs in terms of hydrology, biology, geomorphology, water quality and connectivity. The spatial scope of instream flow studies should encompass the river channel, the riparian corridor and floodplain systems including connected groundwater.
- ! Use a coordinated, interagency, interdisciplinary team approach with adequate staff, training and funding to address all instream flow issues that exist under each agency's responsibilities.
- ! With respect and in conformity to all existing state, federal and provincial laws, mandates and regulations, the local governing fish and wildlife agency should exercise the primary authority for determining the appropriate instream flow necessary to restore, manage, protect and enhance fish and wildlife resources and habitats either directly --- if it has that authority --- or through a formalized process to coordinate such recommendations with and effectively influence the permitting decisions of the appropriate governing environmental agency which has the final authority for setting instream flows.
- ! Commit appropriate fiscal and human resources to maintain or restore flows that reflect the natural seasonal flow pattern in terms of intra-annual factors (magnitude, duration, timing, and rate of change) and inter-annual variability (frequency) to maintain or restore the natural ecological function of riverine resources. Instream flow programs and actions should focus on preserving or restoring intact functioning ecosystems rather than on single species or isolated stream segments.
- ! Incorporate public input into the decision-making process through direct efforts to inform the public regarding a) how instream flows are administered and the benefits they provide, b) the opportunities and limitations afforded by local governing and federal laws and policies for each, and c) ways they can effectively participate in instream flow decision-making processes and issues.
- ! Monitor riverine pre- project conditions and post-project responses of habitat and populations to instream flow recommendations to document the utility of the recommendation and assess the need for modification of recommendations and where appropriate use a formal adaptive management process, to address uncertainty and modify instream flow recommendations in the event goals are not achieved.