



**Brian Abbott Fish Barrier Removal Board Meeting
Proposed Agenda**

Tuesday, June 20, 2023: 9:00 a.m. to 12:00 p.m.

Teams Meeting Link: [Click here to join the meeting](#)

Or call in: [+1 872-242-8913](tel:+18722428913),355522077#

Phone Conference ID: 355 522 077#

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| Purpose of Meeting: | <i>The intent of this monthly Board meeting is to provide general updates around fish barrier removal topics, decide on an update to the FBRB Bylaws regarding emeritus members, discuss changing the FBRB’s match requirements, and share upcoming opportunities for engagement.</i> | |
| Time | Agenda Topic | Materials |
| 9:00-9:30 a.m. (30 mins) | Welcome and Introductions – Joy Juelson, Facilitator, Triangle Associates; and Chair Tom Jameson, WDFW <ul style="list-style-type: none"> ▪ Board and staff introductions ▪ Review agenda and meeting purpose ▪ Public Comments: Submit public comments via e-mail to FBRB@dfw.wa.gov for inclusion in the record <ul style="list-style-type: none"> ○ Decision: Approval of May 2023 meeting summary | Agenda May 2023 Meeting Summary |
| 9:30-9:50 a.m. (20 mins) | General Updates <ul style="list-style-type: none"> ▪ Fish Passage Strategy updates – Jane Atha, WDFW ▪ Staffing and Board membership updates – Board Members ▪ WDFW Fish Passage Rulemaking – Gabrielle Stilwater, WDFW ▪ Advancing remaining FBRB funds across biennium – Alice Rubin, RCO ▪ Additional Topics? | |
| 9:50-10:00 a.m. (10 mins) | FBRB Bylaws Update for Emeritus Members – Triangle Associates & Board Members <ul style="list-style-type: none"> ▪ Recap emeritus discussion from May ▪ Review and discussed revised Bylaws <ul style="list-style-type: none"> ○ Decision: Approve revised Bylaws | FBRB Bylaws v.2023 |
| 10:00-10:15 a.m. (15 mins) | Break | |

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| Time | Agenda Topic | Materials |
| 10:15-11:00 a.m. (45 mins) | Discuss FBRB Match Requirements – Triangle Associates & Board Members <ul style="list-style-type: none"> ▪ Recap May discussion and proposed match requirement suggestions ▪ Review Salmon Recovery Funding Board (SRFB)'s change to match requirements ▪ Board members discuss match requirement options and policy recommendations for WDFW <ul style="list-style-type: none"> ○ Board Recommendation: Should FBRB alter match requirements? | Match Comparison FBRB vs SRFB Match Certification Credit Form |
| 11:00-11:15 a.m. (15 mins) | Update on PROTECT Funds – Chair Jameson <ul style="list-style-type: none"> ▪ Update on PROTECT funds and feedback from project sponsors ▪ Discuss next steps for remaining FY 2024-2026 funds | |
| 11:15-11:30 a.m. (15 mins) | Project and Policy Issue / Opportunities – Board Members <ul style="list-style-type: none"> ▪ Any additional topics or updates? | |
| 11:30-11:45 a.m. (15 mins) | Discuss Upcoming Opportunities for Engagement – Triangle Associates & Board Members <ul style="list-style-type: none"> ▪ FBRB Mailing List sign-up overview – <i>Christy Rains, WDFW</i> ▪ Annual Conference for Washington State Associate of County Engineers: <ul style="list-style-type: none"> ○ FBRB presentation on Tues., June 27 ○ FP rulemaking on Wed., June 28. ▪ Input from Board members ▪ Additional items upon request | |
| 11:45-12:00 p.m. (15 mins) | Action Items & Review – Triangle Associates <ul style="list-style-type: none"> ▪ Review action items / paths forward ▪ Plan for future meetings: <ul style="list-style-type: none"> ○ Next meeting: Virtual meeting planned for July 18, 2023 | |
| 12:00 p.m. | Adjourn | |

BYLAWS
FISH PASSAGE BARRIER REMOVAL BOARD (FBRB)
Updated March 2023

ARTICLE I - Name

The name of this board shall be the Brian Abbott Fish Barrier Removal Board (FBRB) ([RCW 77.95.160](#)).

ARTICLE II - Purpose

The purpose of the board shall be to identify and expedite the removal of human-made or caused impediments to anadromous fish passage in the most efficient manner practical. This will be completed through the development of a coordinated approach and schedule that identifies and prioritizes projects necessary to eliminate fish passage barriers caused by state and local roads and highways and barriers owned by private parties ([RCW 77.95.160](#)). The board will develop a statewide fish passage barrier correction strategy. This strategy will focus on the principals in [RCW 77.95.180](#) and [RCW 77.95.160](#) including development of recommendations for funding as well as the review and approval of projects to be funded under the fish passage barrier removal program.

ARTICLE III - Membership

Members of the FBRB will be selected based on membership recommendations in [RCW 77.95.160](#).

Original voting members of the FBRB include one representative from the Department of Fish and Wildlife (DFW), Department of Transportation, Department of Natural Resources, Governor's Salmon Recovery Office, counties, cities, Confederated Tribes of the Colville Reservation, and Yakama Nation.

The FBRB, after consideration, has added the Council of Salmon Recovery Regions as a voting member and NOAA Fisheries as a non-voting member.

The Chair shall be held by the DFW representative ([RCW 77.95.160](#)). If the Chair is not present, the DFW alternate designee will serve as Chair.

Each organization may designate a primary representative and an alternate representative. Each organization will have one vote. Only the primary and alternate designated representatives that have been identified in writing to DFW are entitled to participate in conducting board business. If an alternate is designated, they can serve as the proxy in the absence of the designated representative. Each designated alternate member will abstain from voting when the organization's primary designee is present.

Once a statewide coordinated approach has been developed, the board may consider inviting others to participate in conducting board business. The FBRB shall consider new members that can contribute to making the board a success and can be additive to the overall goals and objectives of the FBRB. The board shall determine, in consultation with the chair, whether an organization should be invited to participate and whether they are considered a voting member. The FBRB will discuss any potential new members.

The Chair will officially request an organization to join the FBRB if the members support the action.

If a member does not attend three regularly scheduled meetings in a row, and fails to send their alternate, she or he may be considered “inactive” and may be ineligible to participate in formal decisions. A member can return to a good standing by attending a meeting and will be eligible to participate in decisions at the subsequent meeting they attend. The FBRB may elect to address non-attendance by members, as appropriate. Members may also declare themselves inactive for future time periods if they anticipate poor attendance in upcoming months, thereby allowing the FBRB to make decisions more effectively.

Board members shall provide written notice of their intent to leave the board. The departing board member may recommend a replacement board member from within their organization. The Chair will officially request that the organization choose a replacement board member.

After serving on the Board for five years, a member becomes eligible to be appointed as a non-voting emeritus member. Emeritus membership is a time-limited position, lasting for two years, and may be renewed upon completion of the initial term. Emeritus members are invited to attend all Board meetings and can be invited to participate in subcommittees as required. While attending meetings, emeritus members can engage in discussions to share their institutional knowledge, but they are not allowed to participate in the decision-making process of the Board.

ARTICLE IV – Roles and Responsibilities

Chair Responsibilities

The Chair has primary responsibility to set up the board, invite participants, develop meeting agendas, and represent the FBRB in all appropriate matters.

Responsibilities of the Chair include, but are not limited to, ensuring all members are heard equally in debate, facilitate the discussion and keep order, and strive to ensure the meetings stay on track with the agenda so the meetings are as effective as possible. The Chair is responsible for reporting to the legislature on FBRB progress and recommendations.

The Chair is the spokesperson for the FBRB. Board members should not represent or speak on behalf of the FBRB when attending other meetings or forums unless assigned to do so by the Chair.

Board Member Responsibilities

All voting members are expected to attend each meeting. If a board member is unable to attend a meeting, he/she will notify the Chair prior to the meeting whether they are sending their alternate designee to serve as a voting member.

Responsibilities of board members shall be to develop a statewide coordinated approach to barrier corrections and thereafter, apply the approach to review and adopt barrier projects for funding and update the approach as needed.

ARTICLE V - Meetings

Frequency

Regular meetings of the Board will be scheduled on the third Tuesday of each month. The Chair or the Board may set additional meetings as necessary. All meeting times and places may be changed, as needed, with at least a 5 working day notice.

Open public meetings

Meetings of the FBRB are open to the public and follow the Open Public Meetings Act ([RCW 42.30](#)). Materials explaining the provisions of this law are available at the Office of the Attorney General's Open Government Internet Manual webpage. All new members must take open government training within 90 days of assuming their duties. The training must cover Open Public Meetings, Public Records, and Records Retention.

Members acknowledge that all documents generated in this process are a public record and are subject to the Public Records Act (RCW 42.56)

Meeting agendas, minutes, and materials will be posted on the DFW Board website (<http://wdfw.wa.gov/about/advisory/fbrb/>).

Special Meeting

A special meeting may be called at any time by the Chair or by a quorum of the board. The purpose, time, and location of the meeting shall be set forth in the notice. Written notice of a special meeting shall be delivered, including electronically, at least 24 hours in advance to all board members.

Executive Session

The FBRB, by call of any voting member and approval from the Chair, may excuse itself to an executive session by closing a meeting to all non-members. An executive session can be called for any reason allowed by law, if deemed appropriate by the Chair, but no formal recommendations will be adopted during an executive session.

ARTICLE VI - Meeting Ground Rules

The board is comprised of people with a variety of perspectives and interests representing organizations with varied missions. Each member is an equal participant in the process, and thus has an equal opportunity to voice opinions and contribute ideas. Differences of opinion are to be expected and will be respected. Members will honor brainstorming without being attached to their own viewpoints.

With respect for every member's time and perspective, each member agrees:

- 1) To review any provided materials prior to meetings;
- 2) To contribute to discussions at every meeting;
- 3) To stay on track with the agenda;
- 4) To listen actively and keep an open mind;
- 5) To pose questions and comments to the group as a whole;
- 6) To respect the rights of others, especially in debate; and

7) To participate fully through open, honest and candid discussions.

Meeting materials will be sent to board members at least 5 business days in advance of the meetings to allow for proper preparation. Information (studies, reports, data, etc.) requested by a board member will be made available to all members.

Meeting minutes will be prepared and distributed to all board members.

Interested parties not participating as a board member may attend meetings and sit in the audience. The Chair will provide an opportunity at least once during each meeting for interested parties to provide input.

ARTICLE VII - Voting

The board shall strive for consensus on matters and issues that are brought before it. Key actions shall be voted on and each voting organization will have one vote. Key actions are those such as, but not limited to the prioritization strategy, and project list recommendations. Key actions that will be voted on will be identified prior to the meeting on the meeting agenda.

A quorum of the FBRB must be present during a meeting to vote on key actions. A simple majority of the entire active membership constitutes a quorum. Key actions will be passed by simple majority vote however, a minimum of 5 votes in favor of, is needed to pass a key action. The chair shall be a voting member. Voting members not present at a meeting may vote by their alternate designee, by telephone, by written communications (including electronic transmissions) prior to the meeting, or by other means deemed appropriate by the Chair. In the absence of a simple majority vote, committee members will be asked to indicate clearly where they disagree, and their individual level of support for the proposal. The formal action will describe areas of agreement and disagreement. Every effort will be made to state all points clearly, accurately and fairly.

During the process, the board will revisit decisions only when it can be demonstrated that new information will improve their quality.

Key actions made by the board will be documented in meeting minutes.

To reduce the potential for conflict of interests which may be relevant to a matter requiring action by the FBRB, the interested person shall call it to the attention of the Board, provide any and all relevant information, and shall not participate in the final deliberation or decision regarding the matter under consideration, and not vote on the matter. At the discretion of the disinterested persons present, the person may be required to leave the meeting during the discussion and the voting on the matter.

ARTICLE VIII – Committees

From time to time the board may establish standing or advisory committees for the purpose of assisting the board in carry out its responsibilities as well as obtain the community involvement and representation.

ARTICLE IX – Amendments to Bylaws

Amendments to these bylaws shall be by a majority of the total voting membership. Any proposed change or changes shall be furnished to each member at least 5 days prior to the business meeting at which change is considered. Amended bylaws are effective immediately after adoption.

Match Comparison FBRB vs SRFB

4 MAY 2023

Current Match Requirements listed on RCO Webpage:

Salmon Recovery Funding Board Match Details

A 15 percent match is required. No match is required for design-only projects requesting \$350,000 or less.

Match may include the following: Appropriations or cash, Bonds, Donations of cash, land, labor, services, equipment use, and materials, other grants, Applicant's labor, equipment, and materials.

Fish Barrier Removal Board Match Details

| Project Type | Match Requirement |
|---|---|
| Planning grants less than or equal to \$200,000 | None, if final design is completed within 2 years of funding approval |
| Planning grants exceeding \$200,000 | 15% and grants may exceed 2 years |
| Restoration (construction) | 15% of the grant total |

Match may include the following: Appropriations, cash, and bonds, Donations of cash, land, labor, equipment, and materials, other grants, applicant's labor, equipment, and materials

Casey Costello Comments:

350K for restoration/construction of a private crossing would cover the majority of private crossings out there and if the crossing would cost more than 350K that's indicative of a complex project that's likely going to take more resources to see through (i.e., one that we would want to make those involved have some stake in - match).

I like keeping the no match for 200k planning or under and adding a restoration/construction no match req. for private crossings 350K or less.

Fish Barrier Removal Board Grant Program

Match Certification Credit Form

The preference of the Fish Barrier Removal Board is for the project sponsor to provide a 15% match of the grant award. However, the board recognizes that under certain circumstances a project match may be a hardship for the project sponsor. A match certification credit may be used to meet the spirit of providing matching resources and help increase coordination within a watershed (at a HUC 10 scale).

1. Project Information:

Sponsor Name: _____

Email & Phone: _____

Recovery Region: _____

Stream Name: _____

WDFW Site ID: _____

Total Project Cost: _____

2. Select which Match Certification Credit you are applying for:

- Another fish passage barrier removal within the same watershed** – Another fish passage barrier removal within the same watershed (HUC 10 Scale) may be used as match for Fish Barrier Removal Board funding if all of the following criteria are met:
 - a. The matching project was not funded by the Fish Barrier Removal Board or previously used as match.
 - b. The matching project must be congruently under contract (construction or grant) with the FBRB contract or have been constructed within the previous four years from the time FBRB funds become available.
 - c. If already constructed, the matching project must be 100% passable per WDFW barrier assessment guidelines.
 - d. Eligible matching projects include design work, feasibility studies, and other activities that are specific to a particular barrier removal. Watershed inventory, assessment, and prioritization efforts are not eligible to use as match.
- Project Sponsor Hardship**– The project sponsor is not able to meet the minimum 15% match and there are no other fish passage barrier removal projects within the watershed that can be used as match.

3. The project sponsor must provide the following materials based on the type of Match Certification Credit being applied for:

- a) ***Another fish passage barrier removal within the same watershed***
 - i. Completed Match Certification Credit Form (plus attachments listed below)
 - ii. A letter from the sponsor or owner removing the barrier (e.g., state, county, city, forest landowner, RFEG or CD) certifying the matching project is either under contract (construction or grant), included on a public works list and in the design or permitting phase, or a grant application is in the process of being awarded to remove the barrier. The letter must be signed by someone with signature authority within the organization.
 - iii. Submit a map and description of the project.
 - iv. Provide photos of the site.
 - v. Provide barrier assessment information, when and who conducted the survey.
 - vi. Provide a preliminary design, final design, or as-built drawings.
 - vii. Estimated or final cost of the project and completion date with supporting documentation.
 - viii. Must certify that the match is not being used or will be used for any other project.

- a) ***Project Sponsor Hardship***
 - ix. Completed Match Certification Form (plus attachments listed below)
 - x. Provide a statement describing the match amount (or percentage) your organization can commit. Please detail the type of match and dollar or in-kind value.
 - xi. Explain the resources that have been investigated for potential match
 - xii. Explain the organizational hardship

4. Please submit the completed Match Certification Credit materials to:

Fish Barrier Removal Board
c/o Tom Jameson, WDFW Fish Passage Division Manager
PO Box 43200
Olympia, WA 98504-3200
Thomas.Jameson@dfw.wa.gov

The Fish Barrier Removal Board will review match eligibility for all proposed projects and may approve or deny match eligibility on a case-by-case basis. The Fish Barrier Removal Board will track match sources to avoid double matching.