



## Brian Abbott Fish Barrier Removal Board – August 2023 Meeting Summary

**Date:** August 15, 2023

**Time:** 9:00 a.m. to 12:00 p.m.

**Location:** Virtual Meeting

### Summary: Formal Actions / Decisions

Item	Formal Action
Meeting notes from June 20, 2023	Approved
Updated Scoring Criteria for the 2025-2027 grant round	Approved
Updated 2025-2027 grant round schedule, which moves the request for proposal (RFP) launch date up one month to Oct. 2 and the application workshop to Oct. 5.	Approved
Update Manual 22 with “Option 2.” If final designs are not completed within 18 months of being rewarded a restoration funding grant, the project requires a Board decision to proceed.	Approved

### Summary: Follow-up Items and Next Steps

Item	Follow-up
<b>Schedule Cost Increase Subcommittee Meeting</b>	The Cost Increase Subcommittee will meet to discuss how to manage any funds returned from project sponsors who successfully received PROTECT funding.
<b>Convene a Federal Grants Subcommittee</b>	Convene a Federal Grants Subcommittee to discuss the Board’s approach to federal grants. Activities could include reviewing federal grants, coordinating statewide actions to apply to funds, and identifying/supporting sponsors seeking these funds.
<b>September In-person Meeting Planning</b>	Triangle will continue to send information on meeting and the tour itinerary for the Board’s in-person September meeting in Bellingham.
<b>FBRB Match Requirements</b>	The Board will continue to consider updating or removing its match requirements.

**Welcome/Introductions/Agenda Review:** Triangle Associates (Triangle) facilitator, Joy Juelson, called the meeting to order at 9:00 a.m. Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW), welcomed attendees. Alex Sweetser, Triangle Associates, facilitated introductions with Board members and staff. A quorum was present.

**Public Comment:** Natasha Coumou, Tulalip Tribes, provided a public comment that there should exist a no match option for both planning and restoration projects in future FBRB rounds (see Appendix A for full comment).

In response to the comment, Chair Jameson explained the intent of requiring match was to reduce project costs through project sponsors having a financial stake in their projects. However, cost increase requests have increased recently due to external factors, and it is common for project sponsors to gather match funds through other state grant programs. In June, the FBRB agreed to drop their match requirement for design projects under \$350,000 to align with a recent change to the Salmon Recovery Funding Board (SRFB)'s grant program. Restoration projects will still require match. The SRFB considered removing match for restoration projects, but decided it was too soon and too politically risky. The SRFB is still considering dropping their match requirements in the future. The SRFB and FBRB hope dropping match requirements will help reduce equity issues for NGOs, Tribes, private landowners, and small local governments seeking grant funds by removing a major barrier.

Chair Jameson noted the 2023-2025 Grant Round provided more funds for restoration compared to designs. Christy Rains, WDFW, explained 60% of restoration projects in the 2023-2025 Grant Round had their designs funded by the FBRB in previous grant rounds. While there are no points in the FBRB's Scoring Criteria for previously receiving FBRB funds, these projects tend to score higher because their sponsors worked directly with the WDFW Technical Review Team (TRT) on the designs.

Chair Jameson explained that nine eligible sponsors on the FBRB's 2023-2025 project list are pursuing FY2022 PROTECT funds. The sponsors are still working to meet the federal requirements before September 2023 so WSDOT Local Programs can allocate the funds. If the project sponsors do not meet these requirements in time, they can still seek remaining PROTECT funds in future fiscal years. Chair Jameson noted that if these projects meet the federal requirements and begin receiving PROTECT funds, any remaining funds will be returned and advanced down the 2023-2025 Project List. This would fund down to number 76 and would result in many more design projects receiving funding.

**Next Steps:** The Board will continue to consider updating or removing its match requirements.

**Old Business:** The notes for the FBRB June 2023 meeting were reviewed by the facilitator. A motion to approve the notes was made by Susan Eugenis, Washington State Association of Counties, and seconded by Jeannie Abbott, Governor's Salmon Recovery Office (GSRO). The motion was approved with no objections.

**Decision:** Board approved the June 2023 Meeting Notes.

## **General Updates**

### ***Statewide Fish Passage Barrier Removal Strategy Update***

Jane Atha, WDFW, shared that a kick-off meeting was held on July 20, 2023 for the science panel developing recommendations for the Strategy. The science panel will continue to meet monthly for the next year. Additionally, regional workshops are being planned for this winter. Updates on Strategy development will be posted on WDFW's website: [Developing a statewide strategy for prioritizing removal of barriers to migrating fish | Washington Department of Fish & Wildlife](#).

### ***Staffing and Board Membership Updates***

John Foltz, formerly Council of Regions, is fully onboarded as the Recreation and Conservation Office (RCO) Outdoors Grant Manager.

Joel Ingram is the newest biologist at WDFW.

April Magrane is now the Washington State Department of Transportation (WSDOT)'s Board member. Susan Kanzler will move back to being the alternate.

### ***WDFW Fish Passage Rulemaking***

Gabrielle Stilwater, WDFW, shared the CR-102 for the “Fishways, Flow, and Screening Statutes” was submitted in July. Following the meeting, the final draft of the rules was published online. A briefing for state agencies will be held on September 7, 2023, and a public meeting will be held on September 13, 2023. More information is available at WDFW's website: [Fish passage rule making | Washington Department of Fish & Wildlife](#). The webpage includes instructions on how to provide public comments.

### **Manual 22 and Scoring Criteria Updates**

#### ***Scoring Criteria Updates:***

Christy Rains gave a presentation on the updates to the FBRB Scoring Criteria for the 2023-2025 Grant Round ([see linked presentation to FBRB August Handout](#)). The primary change was to consolidate two overlapping criteria (“Accessibility Weighted Habitat” and “In-stream & Riparian Habitat”) into a new “Quality Habitat Assessment” criterion. Additionally, the “Sponsor Experience” criterion was removed, and the points were reallocated to project design.

**Decision:** A motion to approve the updated Scoring Criteria was made by Chair Jameson and seconded by Erik Neatherlin, GSRO. The motion was approved with no objections.

#### ***Manual 22 Updates:***

John Foltz gave an overview of updates to Manual 22 ([see linked presentation to FBRB August Handout](#)). Two updates require a decision from the Board. The first is to open the 2023-2025 Grant Round on October 2, 2023 and to hold the application workshop on October 5, 2023, which is one month sooner. The application deadline will remain to be January 18, 2024. This change should allow sponsors more time for grant application development at the front end of the grant round and ease burdens for working on grant applications through the December holidays. The second is a policy decision on if “funded planning grants need to be completed within a certain period before they can be funded for restoration.” This change could require project sponsors to complete their final designs for their proposed restoration project scope within 18 months of the restoration funding grant date to remain eligible for FBRB funds. John presented three options for the board to consider (see slide 8 of the meeting handouts).

#### ***Board Discussion:***

- Board members were supportive of the updated Grant Round Schedule and felt it would give project sponsors more time to work on their applications.
- Chair Jameson explained the FBRB's grant program is funded through state capital funds. The state raises this money through selling state bonds. If funds are not used and need to be reappropriated across the biennium, the state needs to pay another two years of interest on the funds. This is bad for the state and the legislature wants to avoid reallocation of funds. If too much funding is reallocated across a biennium for a grant program, there is a risk of the legislature reducing funding for it because its projects are not being implemented.

- John Foltz explained this change would encourage projects to stay aligned with their restoration timeline, which helps reduce the risk of cost increase requests.
- In response to a question, Chair Jameson explained approximately 31% of the Board's funds were reappropriated in the last biennium and about 36% of funds were reappropriated in the 2019-2021 biennium. These high numbers led to an inquiry from the Chair of the House Capital Committee.
- Board members felt Option 2, which states "projects might not be eligible to proceed" and requires a Board decision to proceed with restoration, is the best option.

**Decision:** A motion to approve the updates to Manual 22 and the 2023-2025 Grant Round Schedule was made by Chair Jameson and seconded by Erik Neatherlin, GSRO. The motion was approved with no objections.

### **Fish Passage Priorities from Governor's Salmon Strategy Update**

Erik Neatherlin shared a press release from Senator Cantwell's office about 23 projects in Washington receiving funding through the *National Culvert Removal, Replacement, and Restoration Grant Program*. See press release here: [Press Releases | News | U.S. Senator Maria Cantwell of Washington \(senate.gov\)](#)

Erik Neatherlin requested a Federal Grants Subcommittee be convened to discuss the Board's approach to federal grants. Activities could include reviewing federal grants, coordinating statewide actions to apply to funds, and identifying/supporting sponsors seeking these funds. Recommendations can be brought to the Board at future meetings. The following Board members volunteered for the Subcommittee: Susan Kanzler, Erik Neatherlin, Chair Jameson, Susan Eugenis.

Christy Rains noted WDFW and its TRT bios are identifying unfunded Board projects to advance to NOAA's National Culvert Removal, Replacement, and Restoration Grant program this year.

### **Project and Policy Issues or Opportunities**

#### ***Letter of Support for City of Fife's PROTECT Application***

Chair Jameson shared the City of Fife requested a letter of support for their PROECT Application, which WDFW will write.

### **Discuss Upcoming Opportunities for Engagement**

#### ***Updates for Sept. 19 in-person Board meeting and tour in Bellingham, WA***

Alex Sweetser noted the next FBRB meeting will be held in-person in Bellingham, WA. Virtual meeting options will be available for the meeting as well. Following the meeting, site tours will be held in the afternoon of September 19 and the morning of September 20.

**Action Item:** Triangle will continue to coordinate with WDFW and the City of Bellingham to plan for the Board's in-person September 19 meeting in Bellingham, WA. More information on the agenda and tour itinerary will be provided shortly.

**Adjourn:** The meeting adjourned early at approximately 11:30 a.m.

**Next Meeting: In-Person and Hybrid Meeting on September 19, 2023.**

## ATTENDANCE

### Board Members/Alternates:

April Magrane, Washington State Department of Transportation (WSDOT)	Jeannie Abbott, GSRO
Axel Swanson, Washington State Association of Counties	Susan Kanzler, WSDOT
Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW)	Terra Rentz, Washinton State Department of Natural Resources (DNR)
Christy Rains, WDFW	Tim Resseguie, Yakima Nation
Erik Neatherlin, Governor's Salmon Recovery Office (GSRO)	

### WDFW, RCO Staff and Triangle Facilitation Team:

Adam Fleming, WDFW	Joel Ingram, WDFW
Amber Martens, WDFW	Julie Grobelny, WDFW
Casey Costello, WDFW	Melissa Erkel, WDFW
Cassandra Weekes, WDFW	Alice Rubin, Recreation and Conservation Office (RCO)
Daniel Coffman	John Foltz, RCO
David Collins, WDFW	Josh Lambert, RCO
Gabrielle Stilwater, WDFW	Alex Sweetser, Facilitation Support
Jane Atha, WDFW	Joy Juelson, Facilitation Support

### Others observing:

Annika Fain	Gary Brown	Miah Whiteaker
Cheryl Baumann	Jess Helsley	Natasha Coumou
Don Gourlie	Joshua Eckerle	Steve Helvey
Elena Fernandez	Kendall Barrameda	Call-in x2

## Appendix A: Public Comment from Natasha Coumou, Tulalip Tribe

It is Tulalip Tribes opinion that there should exist a no match option for both planning and restoration projects in future FBRB rounds.

In the approved FBRB minutes from May 16<sup>th</sup> 2023, the Board outlined next steps for discussion of dropping match requirements for “planning projects **or** restoration projects under \$350,000 to align with other grant programs.” In the meeting handout for the June 20<sup>th</sup> meeting, a comment by Casey Costello was noted that pertained to keeping a no match requirement for planning projects to \$200 000 dollars, and adding a no match requirement for restoration of private crossings that cost \$350,000 dollars or less.

In the June 20<sup>th</sup>, 2023 draft minutes, in the discussion for no match requirements for projects, there is no mention of removing requirement for match for restoration projects. The Tulalip Tribes would like the Board to clarify for the record if dropping restoration project match for projects under \$350,000 was discussed. In addition, what was the rationale for increasing costs for design only projects, but not for restoration projects for private crossings (at least, as suggested in Mr. Costello’s comment).

While Tulalip agrees there has been a lack of funded design only projects in previous FBRB rounds. we believe that is because of the selection criteria, and not of the match requirement for planning projects. Median planning requests for privately owned barriers, sponsored by Tribes, NGOs and other sponsor applicants, have been under the \$ 200,000 threshold in the three previous FBRB rounds. In fact, the only time that a median planning request topped the \$200,000 “no match” threshold was for projects owned or sponsored by local governments, and it was only by \$50,000.

The 15% match causes restoration projects that are cost-effective and rely on delicate landowner-sponsor relationships, to be non-starters and seek funding elsewhere. Design-build restoration projects on privately owned barriers have been the most cost-effective proposals in recent FBRB rounds, as evident by the median price tag that is sub \$300,000 dollars per project. Tulalip’s view is that a lack of a no-match requirements for sub \$350,000 restoration projects, only widens the inequities present, and harms the resource. A no match option for simple restoration-implementation projects is just as necessary as a no match planning projects and will result in increased pace of low risk-high benefit restoration.

<b>FBRB rounds</b>	<b>2019-2021</b>	<b>2021-2023</b>	<b>2023-2025</b>
<b>Total grant funding requested</b>	<b>\$28,749,578.00</b>	<b>\$65,600,000.00</b>	<b>\$85,693,315.00</b>
<b><i>local gov sponsor or barrier ownership</i></b>	<b>\$23,002,383.00</b>	<b>\$52,905,441.00</b>	<b>\$76,961,929.00</b>
<i>median planning request</i>	<b>\$198,313.00</b>	<b>\$194,559.00</b>	<b>\$249,680.00</b>
<i>median restoration ONLY request</i>	\$1,099,050.00	\$1,096,343.50	\$1,219,166.00
<i>median design-build request</i>	\$420,304.00	\$1,159,427.00	\$354,199.00
<b><i>other sponsors and privately-owned barriers</i></b>	<b>\$5,357,195.00</b>	<b>\$8,394,906.00</b>	<b>\$8,731,380.00</b>
<i>median planning request</i>	<b>\$89,611.00</b>	<b>\$60,000.00</b>	<b>\$188,000.00</b>
<i>median restoration ONLY requests</i>	\$445,300.00	\$488,544.00	\$379,500.00
<i>median design-build request</i>	<b>\$224,459.00</b>	<b>\$293,020.00</b>	<b>\$272,000.00</b>