



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

Tuesday, June 21 2022: 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#

<p><b>Purpose of Meeting:</b></p>	<p><i>The intent of this monthly Board meeting is to provide general updates around fish barrier removal topics, discuss funding solutions for construction cost increase requests, discuss the fall in-person meeting, and share updates on policy or project issues and the current FBRB project list.</i></p>	
<p><b>Time</b></p>	<p><b>Agenda Topic</b></p>	<p><b>Materials</b></p>
<p>9:00-9:20 a.m. (20 mins)</p>	<p><b>Welcome and Introductions</b> – <i>Joy Juelson (Facilitator), Triangle Associates and Chair Tom Jameson, WDFW</i></p> <ul style="list-style-type: none"> <li>▪ Board and staff introductions</li> <li>▪ Review agenda and meeting purpose</li> <li>▪ Public Comments: Submit public comments via e-mail to <a href="mailto:FBRB@dfw.wa.gov">FBRB@dfw.wa.gov</a> for inclusion in the record</li> <li>▪ <b>Decision:</b> Approval of May 2022 meeting summary</li> </ul>	<p>Agenda</p> <p>May Meeting Summary</p>
<p>9:20-9:45 a.m. (25 mins)</p>	<p><b>General Updates</b> – <i>Chair Jameson and Board Members</i></p> <ul style="list-style-type: none"> <li>▪ Board staffing update</li> <li>▪ Introduce Fish Passage Strategist</li> <li>▪ Wild Salmon Center (WSC): Overview of potential salmon recovery funding opportunities from Infrastructure Act</li> <li>▪ Review FBRB Bylaws</li> <li>▪ Additional topics?</li> </ul>	<p>WSC Overview</p> <p>FBRB Bylaws</p>
<p>9:45-10:05 a.m. (20 mins)</p>	<p><b>Funding Solutions for Anticipated Construction Cost Increase Requests</b> – <i>Board Members</i></p> <ul style="list-style-type: none"> <li>▪ Report out on Salmon Recovery Funding Board (SRFB) retreat – <i>Alice Rubin</i></li> <li>▪ Board discussion of path forward</li> </ul>	
<p>10:05-10:20 a.m. (15 mins)</p>	<p><b>Break</b></p>	
<p>10:20-11:10 a.m. (50 mins)</p>	<p><b>Project and Policy Issues / Opportunities</b> – <i>Board Members</i></p> <ul style="list-style-type: none"> <li>▪ National Culvert Removal, Replacement, and Restoration Grant Program updates</li> <li>▪ Highway Grant Programs: Notice of Funding Opportunity (NOFO) for Fed. Funds for Fish Passage</li> <li>▪ Cost Increase Request: King Creek (Graves)</li> <li>▪ Cost Increase Request: Caribou Creek (Two Barriers) <ul style="list-style-type: none"> <li>▪ <b>Board Decision:</b> Cost Increase Requests</li> </ul> </li> <li>▪ Additional Items?</li> </ul>	<p>Letter to USDOT on Fed. Program</p> <p>Federal NOFO</p> <p>Cost Increase Overview</p>

<b>Purpose of Meeting:</b>	<i>The intent of this monthly Board meeting is to provide general updates around fish barrier removal topics, discuss funding solutions for construction cost increase requests, discuss the fall in-person meeting, and share updates on policy or project issues and the current FBRB project list.</i>	
<b>Time</b>	<b>Agenda Topic</b>	<b>Materials</b>
11:10-10:25 a.m. (15 mins)	<b>Update on FBRB 2023-2025 Grant Round – Christy Rains, WDFW, and Dave Caudill, RCO</b> <ul style="list-style-type: none"> <li>▪ 21-23 FBRB project updates</li> <li>▪ Status update for the FBRB 2023-2025 grant round</li> </ul>	
11:25-11:45 a.m. (20 mins)	<b>Discuss Upcoming Opportunities for Engagement – Board Members</b> <ul style="list-style-type: none"> <li>▪ Next steps for planning in-person Board meeting this fall</li> <li>▪ Report out from conferences</li> <li>▪ Washington Fish Barrier Removal: Culvert Optimization Workshop on June 22</li> <li>▪ Inventory and Assessment and Habitat Survey and Prioritization Trainings from June 22-23</li> <li>▪ Input from Board members</li> <li>▪ Additional items?</li> </ul>	
11:45 a.m.-12:00 p.m. (15 mins)	<b>Action Items &amp; Review – Joy Juelson and Chair Jameson</b> <ul style="list-style-type: none"> <li>▪ Review action items/ paths forward</li> <li>▪ Plan for future meetings: <ul style="list-style-type: none"> <li>○ Next meeting: Tuesday, July 19, 2022</li> <li>○ Consider future ideas: Topics or speakers</li> </ul> </li> </ul>	
12:00 p.m.	<b>Adjourn</b>	



**Brian Abbott Fish Barrier Removal Board – Draft May Meeting Notes**

**Date:** May 17, 2022

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

**Location:** Virtual Meeting

**Summary: Formal Actions/Decisions**

Item	Formal Action
Meeting notes from April 19, 2022	Approved
Outreach email on the National Culvert Removal, Replacement, and Restoration Grant Program for distribution to the FBRB distribution list	Approved

**Summary: Follow-up Actions**

Item	Follow-up
USFS Aquatic Organism Passage (AOP) Project List	Chair Jameson distributed the AOP project list and map to the Board following the meeting.
Updated 2023 – 2025 Project List	RCO and WDFW distributed the updated 2023-2025 project list and map of projects to the Board following the meeting.
Outreach Letter for Federal Culvert Program	Triangle distributed the approved letter to Board members for them to distribute within their networks. A copy of the letter will also sent to the FBRB distribution list.
Salmon Recovery Funding Board (SFRB) Funding Pathway Report Out	Alice Rubin, RCO, will attend the next SFRB meeting on June 1-2, 2022, and will report out on the discussion around funding cost increase requests at the next FBRB meeting.
Prioritizing Cost Increase Requests on the 2023 – 2025 FBRB Project List	At a future meeting, the Board will discuss how to rank project cost increase requests on the list.

**Welcome/Introductions/Agenda Review:** Triangle Facilitator, Joy Juelson, called the meeting to order at 9:00 a.m. Alex Sweetser, Triangle Associates, facilitated introductions with FBRB members and staff. A quorum was present.

**Public Comment:** No public comments were received.

**Old Business:** The meeting notes for the FBRB April 2022 meeting were reviewed by the facilitator and approved by the Board.

## **General Updates:**

### ***Proviso Strategist hiring update***

Chair Tom Jameson, Washington Department of Fish and Wildlife (WDFW) explained that WDFW received funding to fill this position in the 2022 legislative session. The second round of interviews for this position are scheduled for later this week and an offer is anticipated for next week. Based on the hiring status, he hopes the position can be filled by early June. Additionally, there is an RFP to contract with a consulting firm to support the new Strategist. The release of the RFP has been postponed until after the Strategist position is filled to ensure the focus is on where the most support is needed.

### ***US Forest Service Aquatic Organism Passage (AOP) Program***

Chair Jameson reviewed that WDFW was approached by the US Forest Service (USFS) for a potential funding opportunity linked to their AOP Program. The USFS believed funds could be provided for barrier removal downstream from USFS lands. However, a review of downstream areas found there were no downstream barriers.

John Foltz, Council of Regions, explained he is working with Lead Entities and Recovery Boards to identify projects downstream of AOP projects. Additionally, he noted USFS is looking for potential sponsorship opportunities for AOP projects since the projects are capacity limited. John requested the AOP project list so he can send it to sponsors to gauge interest and capacity to implement any of the projects.

Paul Wagner, WSDOT, requested to be informed if any WSDOT road crossing or barriers are downstream of USFS lands.

**Action Item:** Chair Jameson distributed the AOP project list and map to the Board following the meeting.

### ***Webinar Report Out: Improving Infrastructure for Salmon + People***

Chair Jameson explained this webinar was sponsored by the WA Department of Commerce. Chair Jameson and Carl Schroeder, Association of Washington Cities, noted there was not much new information provided and there was not much linkage to the Board. Carl noted the Dept. of Commerce staff on the webinar seemed unaware of the FBRB. He suggested inviting them to a future meeting as an educational opportunity to increase their awareness of the Board.

**Path Forward:** Consider inviting Dept of Commerce staff to a future Board meeting to increase their awareness of the FBRB.

## **Update on FBRB 2023-2025 Grant Round**

Matt Curtis, WDFW, explained the initial list of 113 applications has been reduced to 104, primarily from projects withdrawn due to ineligibility or post-habitat survey discoveries. He presented a map of projects, including those removed from the list, and explained why projects were withdrawn. He closed the presentation by thanking the local recovery entities and other parties who voiced support for the current projects. The next step will be for the Technical Review Team (TRT) to rank and prioritize the remaining projects, which is currently ongoing. Immediately after the meeting, Matt provided the Board an updated preliminary project list.

*Path Forward:* RCO and WDFW distributed the updated 2023-2025 project list and map of projects to the Board following the meeting.

### **Funding Solutions and Outreach for Anticipated Construction Cost Increase Requests**

The facilitator explained that at the last FBRB April meeting, the Board identified a need to discuss funding pathways and solutions for anticipated construction cost increase requests this summer.

In response to a question about how other grant programs are trying to get ahead of cost increase requests, Alice Rubin, RCO, explained that the Salmon Recovery Funding Board (SRFB) has a cost increase funds set aside each year. This is typically \$500,000, though this year the total was raised to \$750,000. RCO staff will present a list of cost increase requests at the next SRFB meeting on June 1-2, 2022. The Estuary and Salmon Restoration Program (ESRP) is also able to set funding aside for cost increase request. However, several grant programs managed through RCO, such as FBRB, do not have the ability to set funds aside for cost increase requests or have strict restrictions on using returned funds. Alice noted RCO is aware of the need for cost increase request funding pots and relaxed restrictions on returned funds and is actively discussing solutions.

Chair Jameson explained the FBRB does not have a cost increase funding pot and they have not received approval from the state legislature to have one. The FBRB receives cost increase requests from grant managers. Per the current protocols, if it is under \$100,000 or 10%, the FBRB Chair can decide to approve or reject it. Otherwise, it is brought to a FBRB subcommittee for discussion and the full Board for a decision. Currently, there is only one active cost increase request for the FBRB.

### *Board Questions and Discussion*

- Dave Caudill, RCO, noted he spoke to Brock Milliern, the new RCO Policy Director, and confirmed Brock hopes to attend the next FBRB meeting on June 21, 2022.
- In response to a question from John Foltz about when RCO is expecting to receive cost increase requests, Alice and Dave explained sponsors generally receive bids in June and this is when RCO would be made aware of any cost increase requests. As of late May 2022, RCO has not received any requests.
- Board members identified a need to discuss how to prioritize cost increase requests coming in through the 2023-2025 grant round. This will need to wait for sponsors to receive construction bids and submit any cost increase requests.
- John Foltz recommended reaching out to RCO to confirm the deadline for cost increase requests. This is contingent on when RCO will send the final 2023-2025 FBRB Project List to the Governor's Office.

*Path Forward:* Alice Rubin, RCO, will attend the next Salmon Recovery Funding Board on June 1-2, 2022, and will provide a report out of the discussion at the next FBRB meeting on June 21, 2022.

*Path Forward:* At a future Board meeting, the Board will discuss how to rank project cost increase requests on the 2023-2025 FBRB Project List.

### **Subgroup Reports on Outreach Opportunities around the National Culvert Removal, Replacement, and Restoration Grant Program**

The facilitator explained that a subgroup met on May 10, 2022, to discuss outreach opportunities around the National Culvert Removal, Replacement, and Restoration Grant Program. The subgroup consisted of Chair Jameson (WDFW), Carl Schroeder (Association of WA Counties), Jeannie Abbott (GSRO), and

Paul Wagner and Megan Cotton (WSDOT). At the meeting, the subgroup agreed an outreach pathway could be to develop an outreach letter for the FBRB distribution list focused on established facts of the in-development program.

The Board reviewed the notes and outcomes from the subgroup meeting. This included possible outreach actions for the Board to engage in. The Board decided to hold-off on most outreach beyond the outreach letter of program facts until the RFP is released. The Board reviewed the draft language of the outreach letter and approved it for distribution to FBRB partners and the FBRB distribution list.

#### *Questions and Discussion:*

- Paul Wagner explained the RFP has yet to be released and recommended the Board and its partners start considering projects they would like to submit that are ready to be funded.
- Chair Jameson noted there is interest in having an option to submit project bundles to the program. Additionally, state agencies are discussing this option and working with the Governor's Office to submit a letter to U.S. Department of Transportation.
- Carl Schroeder recommended the Board engage with specific outreach with restoration entities on priority watersheds before the RFP is released. Additionally, he requested Counties be included in the advocacy letter and additional outreach opportunities.

**Decision:** The language in the Outreach Letter on the National Culvert Removal, Replacement, and Restoration Grant Program was approved for distribution to the FBRB distribution list.

**Action Item:** Triangle distributed the approved letter to Board members for them to distribute within their networks. A copy of the letter will also be sent to the FBRB distribution list.

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

#### ***Update on In-person Board Meeting this Fall***

Joy Juelson and Alex Sweetser, Triangle Associates, shared the results from a Doodle Poll to schedule the in-person Board meeting this fall. The Board decided to hold the in-person meeting for September 28 and 29, 2022. Additional information on the logistics for this meeting will be discussed and the Board at upcoming meetings.

#### **Upcoming Conferences:**

Joy Juelson shared three upcoming conferences for Board members to consider. These are:

- 1) Fish Passage 2022: International Conference on River Connectivity 13-16 Jun. 2022 in Richland, WA
- 2) Annual American Fisheries Society (AFS) 21-25 Aug. 2022 in Spokane, WA
- 3) Infrastructure Assistance Coordinating Council (IACC) 18-20 Oct. 2022 Wenatchee, WA

Registration links and additional information on the details of these conferences can be found in the meeting materials.

**Adjourn:** The meeting adjourned at approximately 12:00 p.m.

**Next Meeting: Tuesday, June 21, 2022 – online meeting**

**ATTENDANCE**

**Board Members/Alternates:**

Axel Swanson, Washington State Association of Counties	Matt Curtis, WDFW
Carl Schroeder, Association of Washington Cities	Paul Wagner, Washington State Department of Transportation (WSDOT)
Casey Baldwin, The Confederated Tribes of the Colville Reservation	Susan Eugenis, Washington State Association of Counties
Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW)	Susan Kanzler, WSDOT
Jeannie Abbott, Governor’s Salmon Recovery Office (GSRO)	Terra Rentz, Department of Natural Resources (DNR)
John Foltz, Council of Regions, Snake River Salmon Recovery Board (SRSRB)	Tim Resseguie, Yakama Indian Nation

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

Amber Martens, WDFW	Julie Groebelny, WDFW
Casey Costello, WDFW	Kaylee Kautz, WDFW
Cassandra Weekes, WDFW	Alice Rubin, Recreation and Conservation Office (RCO)
David Collins, WDFW	Dave Caudill, RCO
Gabrielle Stilwater, WDFW	Alex Sweetser, Facilitation Support
Gina Piazza, WDFW	Joy Juelson, Facilitation Support

**Others observing:**

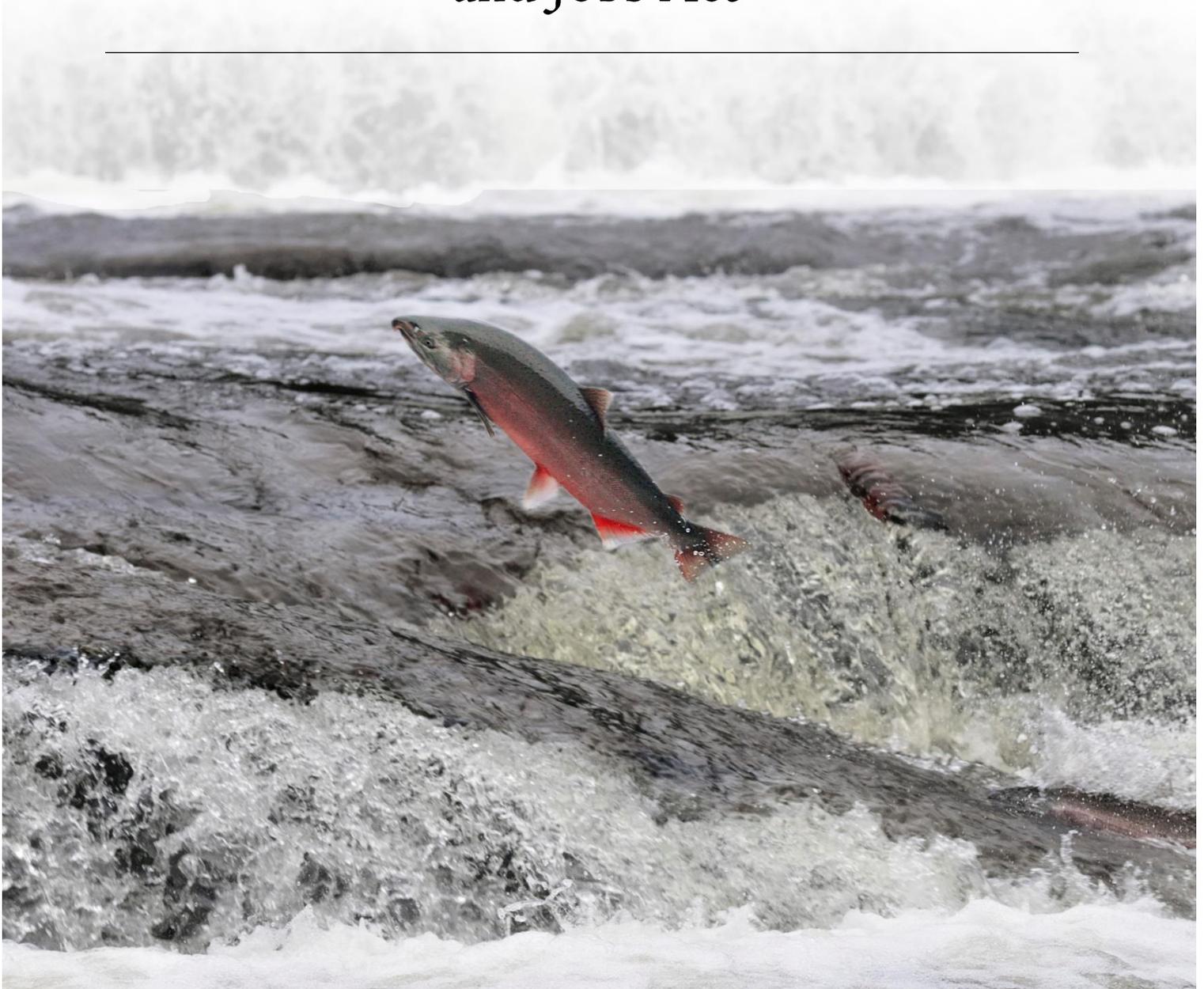
Cade Roler	James Ellis	Shane Scott
Cheryl Baumann	Jim Heytvelt	Steve Helvey
Daniel Howe	Kevin Long	Tracy Gilson
David Varner	Maria Jawad	
Evan Lewis	Matthew Miskovic	



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# Salmon Funding Opportunities in the Infrastructure Investment and Jobs Act

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## The time to make a difference for salmon is now!

The Infrastructure Investment and Jobs Act (Act) creates significant funding opportunities to address habitat protection and restoration, water quality and quantity issues, fish passage – roads, dams and tide gates – and most importantly, to improve the resiliency of watersheds in the face of climate change.

The Pacific Northwest has collectively rolled up our sleeves and are ready to get to work rebuilding our iconic salmon runs. Federally approved Salmon Recovery Plans, created by Tribes and local communities, have identified and prioritized the actions that need to be completed to recover salmon.

The funding provided in the Act creates a historic opportunity over the next 5 years to change the current trajectory of our salmon and orca populations, while directly benefitting the Tribes, economies, ecosystems, and local communities throughout the region.

Wild Salmon Center has created this summary as a helpful overview of the breadth of funding opportunities that we can collectively bring to bear to make significant improvements for salmon populations.

It is critical that we coordinate our efforts across the Pacific Northwest and determine what is needed on the ground in the watersheds that we know best to begin implementation so that we can be both successful and accountable in our efforts to restore and protect this incredible species.

***This is a once in a lifetime investment opportunity. Let's roll up our sleeves and get to work!***

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### Strategies to improve the resiliency of watersheds in the face of climate change

*(from WSC Ready for Change: a framework to promote resilience in salmon strongholds. Illustrations by Elizabeth Morales).*



Protect cold water flows and cold-water refuge areas



Restore and increase flows in tributaries



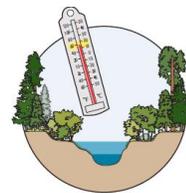
Protect off-channel, wetland, and estuary habitats



Restore incised channels, and reconnect rivers and streams with their floodplains



Protect healthy vegetated stream corridors and upland forests



Restore stream corridors that have the greatest potential to lower water temperatures



**Wild Salmon Center Report:  
Salmon Funding Opportunities in the Infrastructure Investment and Jobs Act**

Compiled by:  
Michael Powelson and Romel P. Nicholas

November 9, 2021

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Note: This is a high-level overview of programs in the IIJA that we believe to be pertinent to salmon recovery– there is much more comprehensive information in the Act, which clocks in at over 2,700 pages.

## Executive Summary Table

IIJA Funding Appropriations through FY 2026	
<b>National Oceanic and Atmospheric Administration Programs</b>	
Pacific Coastal Salmon Recovery Fund	\$172 M
Coastal Zone Management Program	\$207 M
National Estuarine Research Reserve System	\$77 M
National Oceans and Coastal Security Fund Grants	\$492 M
National Marine Fisheries Service, Office of Habitat Conservation, Restoration Center Grants	\$491 M
Community Based Restoration Program	\$400 M
Regional Ocean Partnership Program	\$56 M
<b>Department of Interior Programs</b>	
Sport Fish Restoration and Recreational Boating Safety	\$12.7 M +
Multi-Benefit Projects to Improve Watershed Health	\$100 M
National Fish Passage Program	\$200 M
Ecosystem Restoration: "Voluntary Ecosystem Restoration Projects"	\$400 M
Ecosystem Restoration: "Stream Bed Disturbances"	\$50 M
Ecosystem Restoration: "Invasive Species"	\$200 M
Ecosystem Restoration: "Water Quality and Fish Passage"	\$80 M
Key Notes Re: Wildfire Mitigation & Fuels Management	N/A
Western Water Projects	\$1.1 B
Large Scale Water Recycling and Reuse Program	\$450 M
Aquatic Ecosystem Restoration	\$250 M
Water SMART	\$400 M
Cooperative Watershed Management Program	\$500 M

<b>Department of Transportation Programs</b>	
National Culvert Removal, Replacement, and Restoration Grant Program	\$1 B
Bridge Investment Program	\$3.3 B
Bridge Replacement, Rehabilitation, Preservation, Protection and Construction Program	\$27.5 B
Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program	Formula based/\$1.4 B
National Highway Performance Plan Amendments	N/A
Nationally Significant Freight and Highway Projects	\$3.2 B
<b>Environmental Protection Agency Programs</b>	
National Estuary Program	\$132 M
Environmental Restoration and Management Programs	\$1.7 B
Save Our Seas Act Grants	\$275 M
<b>Army Corps of Engineers Programs</b>	
Aquatic Ecosystem Restoration Program	\$115 M
Water-Related Environmental Infrastructure Assistance	\$200 M
Construction, Replacement, Rehabilitation and Expansion of Inland Waterways Projects	\$2.5 B
Aquatic Ecosystem Restoration Projects and Multi-Purpose Projects or Multi-Purpose Programs that Include Aquatic Ecosystem Restoration	\$1.9 B
Shore Protection Projects	\$200 M
<b>Department of Energy Programs</b>	
Incentive Payments to Hydroelectric Owners for Capital Improvements	\$553.6 M
Limitations on Issue of Leases of Power Privilege	N/A

<b>Department of Agriculture Programs</b>	
Removal of Non-Hydro Power Federal Dams	\$10 M
Legacy Roads and Trails Remediation Program	\$250 M
Watershed Rehabilitation Program	\$118 M
Emergency Watershed Protection Program	\$300 M
Joint Chiefs Landscape Restoration Partnership Program	\$250 M
<b>Department of Homeland Security</b>	
Building Resilient Infrastructure and Communities Program	\$1 B
Flood Mitigation Assistance Program	\$3.5 B
<b>MISC/TBD/ Programs</b>	
Consultations and Permitting Related to Endangered Species Act, Marine Mammal Protection Act, and Essential Fish Habitat	\$20 M

## SECTION 1: National Oceanic and Atmospheric Administration Programs

Pacific Coastal Salmon Recovery Fund					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NOAA				
Spend Plan Development Timeline	90 days for FY22 Spend Plan				
Eligible Entities	States: Alaska, Washington, Oregon, Idaho, Nevada, California Tribes: Federally recognized Tribes of the Columbia River and Pacific Coast (including Alaska) or their representative tribal commissions and consortia				
Match Requirement	“Secretary may waive or reduce the required non-federal share for amounts made available under this heading.”				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$172,000,000	\$34,400,000	\$34,400,000	\$34,400,000	\$34,400,000	\$34,400,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>Administered by: National Oceanic and Atmospheric Administration (NOAA)</li> <li>The PCSRF was established by Congress in 2000 to reverse the declines of Pacific salmon and steelhead, supporting conservation efforts in California, Oregon, Washington, Idaho, and Alaska. The program aims to prevent the extinction of the 28 listed salmon and steelhead species on the West Coast. In many cases, it has stabilized the populations and contributed to their recovery course</li> </ul> <p>PCSRF Website found <a href="#">here</a></p> <ul style="list-style-type: none"> <li>Additional details about PCSRF found <a href="#">here</a></li> </ul> <p>Existing or New Program? <b>Existing</b></p> <p>Notable Amendments to the Program in BIF? <b>No</b></p> <p>Notable Congressional Direction? <b>Yes</b>, within 90 days of passage of BIF, NOAA is to submit to Senate and House Appropriations Committees a spend plan for FY22, with a spend plan provided as part of the President’s annual budget submission for FY23-26. In addition, on p. 2,467, “the Secretary may waive or reduce the required non-Federal share for amounts made available under this heading;”</p>					

Coastal Zone Management Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NOAA				
Spend Plan Development Timeline					
Eligible Entities	States				
Match Requirement	Ranges from 4:1 to 2.3:1 to 1.5:1, to 1:1 depending on program specifics				
Note	Funding can be used for ecosystem conservation pursuant to Section 12502 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1456-1) notwithstanding Subsection (g)				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$207,000,000	\$41,400,000	\$41,400,000	\$41,400,000	\$41,400,000	\$41,400,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>Administered by: NOAA</li> </ul> <p>The NCMP comprehensively addresses the nation’s coastal issues through a voluntary partnership between the federal government and coastal and Great Lakes states and territories. Authorized by the Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C. 1456c), the program (<a href="#">Section 310 of CZMA</a>) provides the basis for protecting, restoring, and responsibly developing our nation’s diverse coastal communities and resources</p> <p>Notable Congressional Direction? <b>Yes</b>, funding can be used for ecosystem conservation pursuant to section 12502 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1456-1) notwithstanding subsection (g)</p> <p>CZMP Website found <a href="#">here</a></p> <ul style="list-style-type: none"> <li>More about CZMP can be found <a href="#">here</a></li> <li>CZMP Strategic Plan Document for 2018-2023 found <a href="#">here</a></li> <li>CZMP 2020 Funding Summary found <a href="#">here</a></li> </ul> <p>Eligible Entities: States</p> <p>Prioritizations, for Projects that:</p> <ul style="list-style-type: none"> <li>See 16 U.S.C. § 1455. Administrative grants (Section 306)</li> </ul> <p>Federal Share:</p> <ul style="list-style-type: none"> <li>Ranges from 4:1 to 2.3:1 to 1.5:1 to 1:1 depending on program specifics</li> <li>See 16 U.S.C. § 1455. Administrative grants (Section 306)</li> </ul> <p>Existing or New Program? <b>Existing</b></p>					

National Estuarine Research Reserve System					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NOAA				
Spend Plan Development Timeline					
Eligible Entities	States part of NERRS 29 coastal state consortium				
Match Requirement	100%				
Note	Funding can be used for ecosystem conservation pursuant to Section 12502 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1456-1)				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$77,000,000	\$15,400,000	\$15,400,000	\$15,400,000	\$15,400,000	\$15,400,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: NOAA</li> <li>▪ The NERRS is a network of 29 coastal sites designated to protect and study estuarine systems. Established through the Coastal Zone Management Act (16 U.S.C. 1456c), the reserves represent a partnership program between NOAA and the coastal states. NOAA provides funding and national guidance, and each site is managed on a daily basis by a lead state agency or university with input from local partners</li> </ul> <p>Notable Congressional Direction? <b>Yes</b>, funding can be used for ecosystem conservation pursuant to section 12502 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1456-1)</p> <p>NERRS Website found <a href="#">here</a></p> <p>NERRS Strategic Plan Document for 2017-2022 found <a href="#">here</a></p> <p>Eligible Entities: States</p> <p>Prioritizations, for Projects that:</p> <ul style="list-style-type: none"> <li>▪ Are for areas that can be “effectively managed and protected and that have significant ecological value <ul style="list-style-type: none"> <li>• Of the projects meeting such standard, priority is given to projects on lands that are “under an imminent threat of conversion to a use that will degrade or otherwise diminish their natural, undeveloped, or recreational state” and “serve to mitigate the adverse impacts caused by coastal population growth in the coastal environment”</li> <li>• For more see <a href="#">here</a>, 16 U.S.C. § 1456-1. Authorization of the Coastal and Estuarine Land Conservation Program (Section 307a)</li> </ul> </li> </ul> <p>Federal Share:</p> <ul style="list-style-type: none"> <li>▪ 100% match requirement of non-Federal funds</li> </ul> <p>Existing or New Program? <b>Existing</b></p>					

National Oceans and Coastal Security Fund Grants					
Location	Division J - Appropriations				
Responsible for Spend Plan Development	National Fish and Wildlife Foundation in conjunction with NOAA via Undersecretary of Commerce for Oceans and Atmosphere				
Spend Plan Development Timeline	90 days				
Eligible Entities	Coastal states, local governments, Tribes, associations, nongovernmental organizations, public-private partnerships, and academic institutions				
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$492,000,000	\$98,400,000	\$98,400,000	\$98,400,000	\$98,400,000	\$98,400,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>Administered by: NOAA via Undersecretary of Commerce for Oceans and Atmosphere and National Fish and Wildlife Foundation</li> <li>The NOCSF can be found at <a href="#">16 U.S.C. Chapter 94 § 7501-7507</a>, also there is reference to Division O of P.L. 114-113</li> <li>Amounts in the NOCSF may be allocated to support programs and activities intended to better understand and utilize ocean and coastal resources and coastal infrastructure, including baseline scientific research, ocean observing, and other programs and activities carried out in coordination with Federal and State departments or agencies</li> </ul> <p>Notable Congressional Direction? <a href="#">No</a></p> <p>Only website found at this time is <a href="#">here</a></p> <p>Details about grant program can be found <a href="#">here</a></p> <p>Existing or New Program? <a href="#">Existing</a></p>					

NMFS Office of Habitat Conservation- Restoration Center Grants					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NOAA				
Spend Plan development Timeline	90 days				
Eligible Entities	Coastal states, local governments, Tribes, associations, nongovernmental organizations, public-private partnerships, and academic institutions				
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$491,000,000	\$98,200,000	\$98,200,000	\$98,200,000	\$98,200,000	\$98,200,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>Administered by: NOAA for programs administered by National Marine Fisheries Service, Office of Habitat Conservation<sup>1</sup></li> <li>For “contracts, grants, and cooperative agreements to provide funding and technical assistance for purposes of restoring marine, estuarine, coastal, or Great Lakes ecosystem habitat, or constructing or protecting ecological features that protect coastal communities from flooding or coastal storms”</li> <li>Related to same funding mechanism as Community-based Restoration Program, see following page of this document</li> </ul> <p>Notable Congressional Direction? <a href="#">No</a></p> <p>Only website found at this time is <a href="#">here</a></p> <p>Details about grant program can be found <a href="#">here</a></p> <p>Existing or New Program? <a href="#">Existing</a></p>					

<sup>1</sup> Note, examine the relationship of this funding source to ARRA.

Community Based Restoration Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NOAA				
Spend Plan Development Timeline	Must be completed as part of the President’s budget submission				
Eligible Entities					
Match Requirement	Non-federal share can be waived by the Secretary				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$400,000,000	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: NOAA<sup>2</sup> <ul style="list-style-type: none"> <li>• For programs administered by National Marine Fisheries Service, Office of Habitat Conservation</li> </ul> </li> <li>▪ The CBRP provides funding and <a href="#">technical assistance</a> for restoration projects that ensure fish have access to high-quality habitat. The goal of these projects is to recover and sustain fisheries—particularly those species managed by NOAA Fisheries, or those listed as threatened or endangered</li> <li>▪ Projects range from improving access to habitat by <a href="#">removing dams and other barriers</a>, to restoring coral and oyster reefs, to rebuilding. NOAA helps implement priority habitat restoration actions identified in recovery plans for threatened and endangered species. Information about many of the projects supported through the CBRP can be found in the <a href="#">NOAA Restoration Atlas</a></li> </ul> <p>Notable Congressional Direction? <b>Yes:</b></p> <ul style="list-style-type: none"> <li>▪ For “restoring fish passage by removing in-stream barriers and providing technical assistance pursuant to section 117 of Magnuson Steven (<a href="#">16 U.S.C. 1891a</a>)</li> <li>▪ Up to 15% shall be reserved for Indian Tribes or partnerships with Indian tribes with education, non-profit, commercial, or state and local entities</li> <li>▪ “Nothing in this Act” clause, nothing shall be construed as providing any new authority to remove, breach, or otherwise alter the operations of a Federal hydropower dam and dam removal projects shall include written consent of the dam owner</li> <li>▪ NOAA shall submit to Congress a detailed spend plan for FY22, and for FY23-26, NOAA shall submit a spend plan as part of the President’s budget submission</li> <li>▪ The required non-Federal share can be waived by the Secretary</li> </ul> <p style="text-align: center;">~More~</p>					

<sup>2</sup> Note, reminder to examine the relationship of this funding source to ARRA.

CBRP Website found [here](#)

More information about program specifics can be found [here](#)

Existing or New Program? [Existing](#)

Regional Ocean Partnership Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NOAA				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$56,000,000	\$11,200,000	\$11,200,000	\$11,200,000	\$11,200,000	\$11,200,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>Administered by: NOAA<sup>3</sup></li> </ul> <p>Notable Congressional Direction? <b>Yes</b>, for established Regional Ocean Partnerships to coordinate the interstate and intertribal management of ocean and coastal resources and to implement their “top priority acquisitions”</p> <p>Worth noting Senator Wicker (R-MS) has been active on this issue as recently as 2019-2020, see bill information about Regional Ocean Partnership Act <a href="#">here</a></p> <p>Existing or New Program? <b>Existing, but extinct until this Act</b></p>					

<sup>3</sup> Note: Keep lookout for whether this program is related or the same as what some call “Oceans and Coastal Observations” program in the BIF.

## SECTION 2: Department of Interior Programs

Sport Fish Restoration and Recreational Boating Safety					
Location	Division B, Title VIII, Section. 28001				
Responsible for Spend Plan Development	FWS				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note	The authorization of the program was extended from 2021 to 2026 and an amendment to 16 U.S.C. § 777C was made including revisions to the funding formula.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$12,786,434+	\$12,786,434+	TBD	TBD	TBD	TBD
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>- Administered by the FWS</li> <li>- The SFR Program was created to restore and better manage America's declining fishery resources and was modeled after the successful <a href="#">Wildlife Restoration Program</a>. Through the purchases of fishing equipment, motorboat and small engine fuels and import duties, the SFR Program is one of the most successful user pay, user benefit systems</li> </ul> <p>SFR Website found <a href="#">here</a></p> <ul style="list-style-type: none"> <li>- Additional details about SFR, including legislative history, found <a href="#">here</a></li> </ul> <p>Existing or New Program? <b>Existing</b> Established in 1950 via Sport Fish Restoration Act aka Dingell-Johnson</p> <p>Notable Amendments to the SFR Program?</p> <ul style="list-style-type: none"> <li>- It appears two things happened: (1) the authorization of the program was extended from 2021 to 2026, and (2) an amendment to 16 U.S.C. § 777c was made whereby some changes were made to the funding formula, which puts funding in the ballpark of \$7,7000,000 (indexed for inflation) for FY16-21. The new formula revision is (found on PDF p. 1,205) for \$12,786,434 indexed for inflation. As well, an increase of \$4,000,000 annually for administration of the program</li> </ul> <p style="text-align: center;">~More~</p>					

Other Notes:

- BIF seems to amend SFR Program in a way that dedicates certain portions of unobligated remaining funds to be used to study derelict vessels. Assuming this study will ultimately conclude one day, it is worth noting that at some point Congress should amend the SFR to give guidance concerning the expenditure of unobligated funds after this study is concluded
- Oregon Department of Fish & Wildlife provides a useful “Recreation Report” on sport fishing in the Columbia Zone, updated September 17, 2021 and can be found [here](#)
- Amendments to the SFR Trust Fund can be found on p. 2,388

Multi-Benefit Projects to Improve Watershed Health					
Location	Division D – Energy, Title IX, Section. 40907				
Responsible for Spend Plan Development	BOR				
Spend Plan Development Timeline					
Eligible Entities	States, Tribes, local governments, water authorities, regional authorities, and nonprofit conservation organizations				
Match Requirement	Federal share of any project with eligible entities shall not exceed 50% Certain projects can be eligible for 75% federal share				
Note	Competitive grant program for habitat restoration projects that improve watershed health in a river basin that is adversely impacted by a BOR water project.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$100,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>Administered by: Department of Interior, via Bureau of Reclamation (BOR)</li> <li>DOI/BOR shall establish a competitive grant program under which grants will be made to applicants for the design, implementation, and monitoring of conservation outcomes of habitat restoration projects that improve watershed health in a river basin that is adversely impacted by a BOR water project</li> </ul> <p>Eligible Entities:</p> <ul style="list-style-type: none"> <li>States, Tribal or local governments, water authorities, regional authorities, and nonprofit conservation organizations</li> </ul> <p>Prioritizations, for Projects that:</p> <ul style="list-style-type: none"> <li>Have ecosystem benefits</li> <li>Restore native species</li> <li>Mitigate against the impacts of climate change to fish and wildlife habitats</li> <li>Protect against invasive species</li> <li>Restore aspects of the natural ecosystem</li> <li>Enhance commercial, recreational, subsistence, or Tribal ceremonial fishing; or</li> <li>Enhance river-based recreation</li> </ul> <p>Federal Share:</p> <ul style="list-style-type: none"> <li>Federal share of any project with eligible entities shall not exceed 50%</li> <li>Certain projects can be eligible for 75% federal share</li> </ul> <p style="text-align: center;">~More~</p>					

- Authorizations v. Appropriations:
  - Authorizations found on p. 1,827; Appropriations found on p. 2,485
- Existing or New Program? [New](#)

National Fish Passage Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	FWS				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement	“It is the goal of the program to secure at least 50 percent of project costs from non-federal sources, but this goal applies regional as a whole, and does not have to be achieved on a project-by-project basis.”				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$200,000,000	\$40,000,000	\$40,000,000	\$40,000,000	\$40,000,000	\$40,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>Administered by: Interior, via FWS</li> <li>The NFPP works with local communities on a voluntary basis to restore rivers and conserve aquatic resources by removing or bypassing barriers. Projects benefit both fish and people. FWS works with communities to remove obsolete and dangerous dams, permanently eliminating public safety hazards, and restoring river ecosystems. The program also works with transportation agencies and others to improve road stream crossings so that the streams can flow naturally beneath them. The resulting infrastructure is more resilient to flooding and benefits communities by saving money in long term repair and replacement costs. FWS collaborates with landowners to adapt water diversion systems so that the systems are efficient at retrieving and moving water as well as saving fish.</li> </ul> <p>Notable Congressional Direction? <b>Yes.</b> Nothing in the BIF shall be construed as providing any new authority to remove, breach, or otherwise alter the operations of a Federal hydropower dam and dam removal projects shall include written consent of the dam owner.</p> <p>NFPP Website found <a href="#">here</a></p> <ul style="list-style-type: none"> <li>More information about NFPP projects and funding process found <a href="#">here</a></li> </ul> <p>Prioritizations, for Projects that:</p> <ul style="list-style-type: none"> <li>Show the greatest ecological benefits for trust species</li> <li>Exhibit permanence of fish passage benefits</li> <li>Make use of the most current scientific knowledge and proven technology</li> <li>Evidence the greatest public support</li> <li>Generate the maximum in matching contributions</li> </ul> <p>Federal Share:</p> <ul style="list-style-type: none"> <li>“It is the goal of the program to secure at least 50 percent of project costs from non-Federal sources, but this goal applies regional as a whole, and does not have to be achieved on a project-by-project basis,” see <a href="#">here</a></li> </ul> <p>Existing or New Program? <b>Existing</b></p>					

Ecosystem Restoration: “Voluntary Ecosystem Restoration Projects”					
Location	Division D – Energy, Title VIII, Section. 40804(b)(4)				
Responsible for Spend Plan Development	DOI in consultation with USDA				
Spend Plan Development Timeline					
Eligible Entities	States, territories, Tribes				
Match Requirement	Requires match funding				
Note	Appropriated amounts vary from authorized amounts.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$400,000,000	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000
Section Overview:					
<ul style="list-style-type: none"> <li>▪ Sec. 40804 includes a general authorization of \$2,130,000,000 for various purposes, and then it subsequently allocates a certain portion of the authorization to a variety of multi-jurisdictional programs relating to ecosystem restoration</li> <li>▪ It can get confusing very quickly, because the programs are authorized in Section 40804, but then the appropriations for the programs are found in both Interior and Agriculture appropriations at the end of the BIF <ul style="list-style-type: none"> <li>▪ This document intends to highlight notable “pieces of the pie” of specific authorizations under the umbrella of the \$2,130,000,000</li> </ul> </li> </ul>					
Program Overview:					
<ul style="list-style-type: none"> <li>- Administered by Department of Interior <ul style="list-style-type: none"> <li>▪ In consultation with the Department of Agriculture</li> </ul> </li> <li>- Grants “for implementing voluntary ecosystem restoration projects on private or public land” <ul style="list-style-type: none"> <li>▪ Priority for “cross-boundary” projects</li> </ul> </li> <li>- Eligible entities include States, territories, and Indian Tribes</li> <li>- “Requires matching funding”</li> </ul>					

Ecosystem Restoration: “Stream Bed Disturbances”					
Location	Division D – Energy, Title VIII, Section. 40804(b)(5),				
Responsible for Spend Plan Development	USDA				
Spend Plan Development Timeline					
Eligible Entities	States and Tribes				
Match Requirement					
Note	To establish rental programs for portable skidder bridges, bridge mats, or other temporary water crossing structures, to minimize stream bed disturbance on non-federal and federal land. Appropriated amounts vary from authorized amounts.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$50,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000
<p>Section Overview:</p> <ul style="list-style-type: none"> <li>- Sec. 40804 includes a general authorization of \$2,130,000,000 for various purposes, and then it subsequently allocates a certain portion of the authorization to a variety of multi-jurisdictional programs relating to ecosystem restoration <ul style="list-style-type: none"> <li>▪ It can get confusing very quickly, because the programs are authorized in Section 40804, but then the appropriations for the programs are found in both Interior and Agriculture appropriations at the end of the BIF <ul style="list-style-type: none"> <li>• This document intends to highlight notable “pieces of the pie” of specific authorizations under the umbrella of the \$2,130,000,000</li> </ul> </li> </ul> </li> </ul> <p>Program Overview:</p> <ul style="list-style-type: none"> <li>- Administered by Department of Agriculture</li> <li>- Grants “to establish rental programs for portable skidder bridges, bridge mats, or other temporary water crossing structures, to minimize stream bed disturbance on non-Federal land and Federal land”</li> <li>- Eligible entities include States and Tribes</li> </ul>					

Ecosystem Restoration: “Invasive Species”					
Location	Division D – Energy, Title VIII, Section. 40804(b)(6)				
Responsible for Spend Plan Development	50% administered by USDA, 50% administered by DOI				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note	For invasive species detection, prevention, and eradication, including conducting research and providing resources to facilitate detection of invasive species at points of entry and awarding grants for eradication of invasive species on non-federal and federal land. Appropriated amounts vary from authorized amounts. Authorized funding in DOI and USDA.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$200,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000
Section Overview:					
<ul style="list-style-type: none"> <li>- Sec. 40804 includes a general authorization of \$2,130,000,000 for various purposes, and then it subsequently allocates a certain portion of the authorization to a variety of multi-jurisdictional programs relating to ecosystem restoration <ul style="list-style-type: none"> <li>▪ It can get confusing very quickly, because the programs are authorized in Section 40804, but then the appropriations for the programs are found in both Interior and Agriculture appropriations at the end of the BIF <ul style="list-style-type: none"> <li>• This document intends to highlight notable “pieces of the pie” of specific authorizations under the umbrella of the \$2,130,000,000</li> </ul> </li> </ul> </li> </ul>					
Program Overview:					
<ul style="list-style-type: none"> <li>- 50% Administered by Department of Agriculture, 50% administered by Department of Interior</li> <li>- “For invasive species detection, prevention, and eradication, including conducting research and providing resources to facilitate detection of invasive species at points of entry and awarding grants for eradication of invasive species on non-Federal land and on Federal land”</li> </ul>					

Ecosystem Restoration: “Water Quality and Fish Passage”					
Location	Division D – Energy, Title VIII, Section. 40804				
Responsible for Spend Plan Development	USDA in coordination with DOI				
Spend Plan Development Timeline	180 days				
Eligible Entities					
Match Requirement					
Note	To establish a collaborative-based, landscape-scale restoration program to restore water quality or fish passage on federal land, including Tribal forest land or rangeland.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$80,000,000	\$16,000,000	\$16,000,000	\$16,000,000	\$16,000,000	\$16,000,000
Section Overview:					
<ul style="list-style-type: none"> <li>- Sec. 40804 includes a general authorization of \$2,130,000,000 for various purposes, and then it subsequently allocates a certain portion of the authorization to a variety of multi-jurisdictional programs relating to ecosystem restoration <ul style="list-style-type: none"> <li>▪ It can get confusing very quickly, because the programs are authorized in Section 40804, but then the appropriations for the programs are found in both Interior and Agriculture appropriations at the end of the BIF <ul style="list-style-type: none"> <li>• This document intends to highlight notable “pieces of the pie” of specific authorizations under the umbrella of the \$2,130,000,000</li> </ul> </li> </ul> </li> </ul>					
Program Overview:					
<ul style="list-style-type: none"> <li>- Administered by Department of Agriculture <ul style="list-style-type: none"> <li>▪ In coordination with the Department of Interior</li> </ul> </li> <li>- “To establish a collaborative-based, landscape-scale restoration program to restore water quality or fish passage on Federal land, including Indian forest land or rangeland”</li> <li>- Later in section, see 40804(f), page 1803-1804, USDA and DOI are directed to collaborate in soliciting collaboratively developed proposals, within 180 days, for 5-year projects to restore fish passage or water quality on Federal land and non-Federal land, including Indian forest land, to the extent allowed<sup>4</sup> under 323(a) of Department of Interior Appropriations Act 1999, 16 U.S.C. 1011a(a) <ul style="list-style-type: none"> <li>▪ Proposals are capped at \$5,000,000 in funding</li> </ul> </li> <li>- Priority for projects that would result in the most miles of streams being restored for the lowest amount of Federal funding, with projects to be discontinued if criteria are not met</li> <li>- Funding is directed via 40404(b)(10)</li> <li>- A list of priority watersheds on National Forest System land is to be published</li> </ul>					

<sup>4</sup> Note: There are limits on the extent allowed on non-Federal land in reference to DOI Appropriations FY1999 / 16 USC 1011a(a)

### Key Note Re: Wildfire Mitigation

- In the appropriations division of the BIF, Page 2588 of the PDF, specific direction is given to the expenditure of the \$718,000,000 mentioned in this section
- “In addition to the amounts made available...not less than \$500,000,000 for [grants to at-risk communities for wildfire mitigation activities], not less than \$88,000,000 for State Fire Assistance, and not less than \$20,000,000 for Volunteer Fire Assistance”

### Key Note Re: Fuels Management

- In the appropriations division of the BIF, Page 2589-2590 of the PDF, specific direction is given for certain appropriated funds that are authorized via sections 40803 and 40804 for various activities, among them, hazardous fuels management
- “\$2,115,000,000 for the Secretary of Agriculture, acting through the Chief of the Forest Service, to carry out activities...authorized in Sections 40803 and 40804...of which \$587,000,000...for FY22...and \$382,000,000 [for FY23-26]...In addition to the amounts made available...for hazardous fuel management activities, \$102,800,000 [for FY22-26]...and for burned area recovery, \$45,000,000 [for FY22-26]”

Western Water Projects					
Location	Division D- Energy, Title IX, Section. 40901, 40902				
Responsible for Spend Plan Development	BOR				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement	Federal share of any project with federal ownership shall not exceed 50% Federal share of any project with non-federal ownership shall not exceed 25%				
Note	For water storage, groundwater storage, and conveyance projects, of which \$100,000,000 shall be made available to provide grants to plan and construct surface water and groundwater storage projects.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$1,150,000,000	\$230,000,000	\$230,000,000	\$230,000,000	\$230,000,000	\$230,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>- Administered by: Department of Interior, via Bureau of Reclamation (BOR)</li> <li>- “For water storage, groundwater storage, and conveyance projects, of which \$100,000,000 shall be made available to provide grants to plan and construct small surface water and groundwater storage projects”</li> <li>- Federal Share: <ul style="list-style-type: none"> <li>▪ Federal share of any project with Federal ownership shall not exceed 50%</li> <li>▪ Federal share of any project with non-Federal ownership shall not exceed 25%</li> </ul> </li> <li>- Authorizations v. Appropriations: <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 1,822; Appropriations found on p. 2,482</li> </ul> </li> <li>- Existing or New Program? <a href="#">New</a></li> </ul>					

Large Scale Water Recycling Projects					
Location	Division D- Energy, Title IX, Section. 40901, 40905				
Responsible for Spend Plan Development	BOR				
Spend Plan Development Timeline					
Eligible Entities	States, Tribes, municipalities, irrigation districts, water districts, wastewater districts, or other organizations with water or power delivery authority, among others.				
Match Requirement	Federal share of any project shall not exceed 25%				
Note	Projects must reclaim and reuse municipal, industrial, domestic, or agricultural wastewater. Appropriated amounts vary from authorized amounts.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$450,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Department of Interior, via Bureau of Reclamation (BOR)</li> <li>▪ The Secretary “shall establish a program to provide grants to eligible entities on a competitive basis for the planning, design, and construction of large-scale water recycling and reuse projects that provide substantial water supply and other benefits to the Reclamation States”</li> <li>- Eligible Entities: <ul style="list-style-type: none"> <li>▪ States, Indian tribes, municipalities, irrigation districts, water districts, wastewater districts, or other organizations with water or power delivery authority, among others</li> </ul> </li> <li>- Eligible Projects: <ul style="list-style-type: none"> <li>▪ Among other provisions, a project must: <ul style="list-style-type: none"> <li>• Reclaim and reuse municipal, industrial, domestic, or agricultural wastewater</li> <li>• Have a total estimated cost of 500,000,000 or more</li> </ul> </li> </ul> </li> <li>- Prioritization: <ul style="list-style-type: none"> <li>▪ The Secretary shall give priority to projects that, among other criteria, has fish and wildlife benefits, see p. 1,841</li> </ul> </li> <li>- Federal Share: <ul style="list-style-type: none"> <li>▪ Federal share of any project shall not exceed 25%</li> </ul> </li> <li>- Total Dollar Cap: <ul style="list-style-type: none"> <li>▪ “The Secretary shall not impose a dollar cap on Federal contributions for all eligible individual projects provided a grant under this program”</li> </ul> </li> <li>- Authorizations v. Appropriations: <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 1,822; Appropriations found on p. 2,484</li> </ul> </li> </ul> <p style="text-align: center;">~More~</p>					

- Note: Authorizing language reads, “\$450,000,000 shall be made available for large-scale water recycling and reuse projects in accordance with Section 40905”

- Existing or New Program? [New](#)

Aquatic Ecosystem Restoration					
Location	Division D- Energy, Title IX, Section. 40901				
Responsible for Spend Plan Development	BOR				
Spend Plan Development Timeline					
Eligible Entities	States, Tribes, irrigation districts, water districts, regional or local authorities with water or power delivery authority, or any other entity or organization that owns a facility eligible for upgrade, modification, or removal, any non-profit conservation organization acting in partnership with aforementioned entities, and any agency established under state law for the joint exercise of power under the program.				
Match Requirement	Federal share of any project shall not exceed 25%				
Note					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$250,000,000	\$50,000,000	\$50,000,000	\$50,000,000	\$50,000,000	\$50,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Department of Interior, via Bureau of Reclamation (BOR)</li> <li>▪ “For design, study, and construction of aquatic ecosystem restoration and protection projects in accordance with Section 1109 of Division FF of the Consolidated Appropriations Act [FY21], P.L. 116-260”</li> <li>▪ P.L. 116-260 found <a href="#">here</a>, Sec. 1109 is found on Page 2063 of PDF of FY21 Approps Bill, General Authority reads, “On the request of any eligible entity the Secretary may negotiate and enter into an agreement on behalf of the U.S. to fund the design, study, and construction of an aquatic ecosystem restoration and protection project in a Reclamation State if the Secretary determines that the project is likely to improve the health of fisheries, wildlife, or aquatic habitat, including through habitat restoration and improved fish passage via the removal or bypass of barriers to fish passage”</li> </ul> <ul style="list-style-type: none"> <li>- Eligible Entities: <ul style="list-style-type: none"> <li>▪ State, Indian Tribes, irrigation districts, water districts, regional or local authorities with water or power delivery authority, any other entity or organization that owns a facility eligible for upgrade, modification, or removal, any nonprofit conservation organization acting in partnership with aforementioned entities, and an agency established under State law for the joint exercise of powers under the program</li> </ul> </li> <li>- Prioritization: <ul style="list-style-type: none"> <li>▪ The Secretary shall give priority to projects that, among other criteria, has diverse support of stakeholders, such as hydroelectric producers, Tribes, fishing interests, and nonprofit conservation organizations, affect water resources in 2 or more river basins with benefits not limited to fisheries restoration, among others</li> </ul> </li> </ul> <p style="text-align: center;">~More~</p>					

- Federal Share:
  - Federal share of any project shall not exceed 25%
- Authorizations v. Appropriations:
  - Authorizations found on p. 1,822; Appropriations found on p. 2,485
  - Note: FY21 Approps bill appropriated \$15,000,000 for FY22-26
- Existing or New Program? [Existing, via FY21 Approps](#)

Water SMART					
Location	Division D- Energy, Title IX, Section. 40901				
Responsible for Spend Plan Development	BOR				
Spend Plan Development Timeline					
Eligible Entities	Irrigation or water districts, tribes, states and other entities with water or power delivery authority entities.				
Match Requirement	Federal share of any project shall not exceed 50%				
Note	\$100,000,000 shall be made available for projects that would improve the condition of a natural feature or nature-based feature, as determined in Section 9502 of the Omnibus Public Land Management Act of 2009 (42 U.S.C. 10362).				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$400,000,000	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000	\$80,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Department of Interior, via Bureau of Reclamation</li> <li>▪ WaterSMART Water and Energy Efficiency Grants (formerly Challenge Grants), via Bureau of Reclamation, funding to irrigation and water districts, tribes, states and other entities with water or power delivery authority entities. Projects conserve and use water more efficiently; increase the production of hydropower; mitigate conflict risk in areas at a high risk of future water conflict; and accomplish other benefits that contribute to water supply reliability in the Western United States. Projects are selected through a competitive process, and the focus is on projects that can be completed within two or three years</li> <li>- WaterSMART website found <a href="#">here</a></li> <li>- Federal Share: <ul style="list-style-type: none"> <li>▪ 50%</li> </ul> </li> <li>- Notable Congressional Direction: <ul style="list-style-type: none"> <li>▪ In accordance with Section 9504 of Omnibus Public Lands Management Act of 2009 (42 U.S.C. 10364)</li> <li>▪ \$100,000,000 shall be made available for projects that would improve the condition of a natural feature or nature-based feature, as determined in Section 9502 of the Omnibus Public Land Management Act of 2009 (<a href="#">42 U.S.C. 10362</a>)</li> </ul> </li> <li>- Authorizations v. Appropriations: <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 1,826; Appropriations found on p. 2,484</li> </ul> </li> <li>- Existing or New Program? <a href="#">Existing</a></li> </ul>					

Cooperative Watershed Management Program					
Location	Division J- Appropriations (p. 2,485)				
Responsible for Spend Plan Development	BOR				
Spend Plan Development Timeline					
Eligible Entities	Watershed groups				
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$500,000,000	\$100,000,000	\$100,000,000	\$100,000,000	\$100,000,000	\$100,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Interior, via BOR</li> <li>▪ CWMP is administered pursuant to P.L. 566, with corresponding citation found at (<a href="#">16 U.S.C. 1015 et seq.</a>)</li> <li>▪ CWMP contributes to the WaterSMART strategy by providing funding to watershed groups to encourage diverse stakeholders to form local solutions to address their water management needs</li> </ul> <p>- CWMP Website found <a href="#">here</a></p> <ul style="list-style-type: none"> <li>▪ More information about CWMP can be found <a href="#">here</a></li> </ul> <p>- Existing or New Program? <a href="#">Existing</a></p>					

## SECTION 3: Department of Transportation Programs

National Culvert Removal, Replacement and Restoration Grant Program					
Location	Division B, Title I, Subtitle B, Section. 21203				
Responsible for Spend Plan Development	DOT in collaboration with the office of the Undersecretary of Commerce for Oceans and Atmosphere and Fish and Wildlife Service				
Spend Plan Development Timeline					
Eligible Entities	States, units of local government, or Tribes				
Match Requirement	Federal share of any project with eligible entities shall not exceed 80%				
Note	Appropriated amounts vary from authorized amounts.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$1,000,000,000	\$200,000,000	\$200,000,000	\$200,000,000	\$200,000,000	\$200,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Department of Transportation (DOT), in collaboration with the office of the Undersecretary of Commerce for Oceans and Atmosphere (UCOA) and Fish &amp; Wildlife Service (FWS)</li> <li>▪ DOT, in consultation with UCOA and FWS, shall establish a grant program for projects for the replacement, removal, and repair of culverts (or weirs) that would meaningfully improve or restore fish passage for anadromous fish, and [regarding] weirs, infrastructure to facilitate fish passage around or over a weir and weir improvements</li> <li>- Eligible Entities: States, units of local government, or Indian tribes</li> <li>- Prioritizations, for Projects that Improve Fish Passage for: <ul style="list-style-type: none"> <li>▪ Anadromous fish stocks listed as endangered or threatened</li> <li>▪ Anadromous fish stocks identified by the UCOA or FWS that could reasonably become listed as endangered or threatened</li> <li>▪ Anadromous fish stocks identified by the UCOA or FWS as prey for endangered or threatened species</li> <li>▪ Anadromous fish identified by the UCOA or FWS as climate resilient and</li> <li>▪ Projects that would open up more than 200 meters of upstream habitat before the end of natural habitat</li> </ul> </li> <li>- Federal Share: Federal share of any project with eligible entities shall not exceed 80%</li> <li>- Authorizations v. Appropriations: <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 650; Appropriations found on p. 2,603</li> </ul> </li> <li>- Existing or New Program? <a href="#">New</a></li> </ul>					

Bridge Investment Program					
Location	Division A, Title I, Subtitle A, Section. 1118				
Responsible for Spend Plan Development	DOT				
Spend Plan Development Timeline					
Eligible Entities	State or groups of states, a metropolitan planning organization, a unit of local government or group of local governments, a political subdivision of a state or local government, a special purpose district or public authority with a transportation function, a federal land management agency, a Tribal government, or a group of any of the aforementioned entities.				
Match Requirement	Federal share of any large project (greater than or equal to \$50,000,000) shall not exceed 50%. Federal share of any other project shall not exceed 80% (other defined as no less than \$2,500,000). Federal assistance (including Tribal federal funds) other than a grant under the IJA program may be used to satisfy the non-federal share of the cost of a project.				
Note					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$3,265,000,000	\$600,000,000	\$640,000,000	\$650,000,000	\$675,000,000	\$700,000,000
<ul style="list-style-type: none"> <li>- General authorization of multiple programs, one of which is BIP Program, found on p. 25-30</li> <li>- Program Overview: <ul style="list-style-type: none"> <li>▪ Administered by: DOT</li> <li>▪ Establishes a “Bridge Investment Program” to provide financial assistance for eligible projects, which cover the replacement, rehabilitation, preservation, or protection of bridges in the National Bridge Inventory</li> <li>▪ Eligible projects also include “projects to replace or rehabilitate culverts for the purpose of improving flood control and improved habitat connectivity for aquatic species”</li> <li>▪ Tribal “carve out” page 164, ranging \$16,000,000-\$24,000,000 through FY22-26</li> </ul> </li> <li>- Eligible Entities: <ul style="list-style-type: none"> <li>▪ State or groups of states, a metropolitan planning organization, a unit of local government or group of local governments, a political subdivision of a State or local government, a special purpose district or public authority with a transportation function, a federal land management agency, a Tribal government, or a group of any of the aforementioned entities</li> </ul> </li> <li>- Federal Share: <ul style="list-style-type: none"> <li>▪ Federal share for any “large” project shall not exceed 50% <ul style="list-style-type: none"> <li>• Large projects are defined as \$50,000,000 or greater</li> </ul> </li> <li>▪ Federal share of any “other” project with eligible entities shall not exceed 80%</li> </ul> </li> </ul> <p style="text-align: center;">~More~</p>					

- “Other” projects defined as no less than \$2,500,000
  - “Federal assistance [including Tribal federal funds] other than a grant under the [BIP] program may be used to satisfy the non-Federal share of the cost of a project”
- Numerous priorities and requirements ranging p. 138-141
- Authorizations v. Appropriations:
  - Authorizations found on p. 25 and 30; Appropriations found on p. 2,619 and 2,637
- Existing or New Program? [New](#)<sup>5</sup>

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<sup>5</sup> BIP Program has conflicting authorization and appropriation amounts, funding provisions are somewhat unclear. Specifically, see Page 2637 of PDF, which contains \$9,235,000,000 in appropriations for Bridge Investment Program, which far exceeds authorized amounts.

Bridge Replacement, Rehabilitation, Preservation, Protection and Construction Program					
Location	Division J, Appropriations				
Responsible for Spend Plan Development	DOT				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement	75% of funds to go towards bridges in poor condition and 25% of funds to bridges in fair condition. Funds are to be “administered as if apportioned under Chapter 1 of Title 23 U.S.C.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$27,500,000,000	\$5,500,000,000	\$5,500,000,000	\$5,500,000,000	\$5,500,000,000	\$5,500,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: DOT</li> <li>▪ Funds are to be “administered as if apportioned under Chapter 1 of Title 23 U.S.C., <a href="#">here</a></li> <li>▪ Projects are to be treated as on a Federal-aid highway</li> </ul> <p>- Unclear what Congressional intent is, but general concept is the money appropriated for certain purposes is dumped into a general Federal-aid highway program at DOT</p> <ul style="list-style-type: none"> <li>▪ Best guess for what this could be may be the re-funding of a previously existing, now-extinct program that was contemplated in <i>Federal Register</i> in 2001, see <a href="#">here</a></li> </ul> <p>- Numerous priorities and requirements ranging pages 2620-2621, such as 75% of funds to bridges in poor condition and 25% of funds to bridges in fair condition</p> <p>- Authorizations v. Appropriations:</p> <ul style="list-style-type: none"> <li>▪ Authorizations not found; Appropriations found on p. 2,619</li> </ul>					

**Promoting Resilient Operations for Transformative Efficient and Cost-Saving Transportation (PROTECT) Program (Formula and Competitive Grant Portion)**

Location	Division A, Title I, Subtitle D, Section. 11405				
Responsible for Spend Plan Development	DOT				
Spend Plan Development Timeline					
Eligible Entities	(Formula program) States (Competitive grant program) Local communities				
Match Requirement	Federal share is 80%; however, funding from other federal sources may be used to cover the remaining 20%.				
Note	The formula grant portion of PROTECT will be distributed to states in the same share the state receives based on its core formula appointments. These funds may be used for construction activities that improve the resiliency of assets to current and future weather events and natural disasters, for strategies that allow for a continuity of operations or rapid recover of surface transportation systems that serve critical needs following a disaster, including evacuation routes, or to protect coastal infrastructure that is at long-term risk to sea level rise.				
Total Proposed Allocation Formula/Competitive Grant	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
Formula based/ \$1,400,000,000	Formula based/ \$250,000,000	Formula based/ \$250,000,000	Formula based/ \$300,000,000	Formula based/ \$300,000,000	Formula based/ \$300,000,000

Note: Information about the PROTECT Program is found in numerous areas of the BIF

- General authorization of multiple programs, merely one of which is PROTECT Program, found on p. 21
- Authorization of PROTECT Grants found on p. 26-27

Program Overview

- Administered by: Department of Transportation (DOT)
- Two components: (1) a formula grant program and (2) a competitive grant program
- BIF creates a new Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) grant program, which provides formula funding to states and competitive grants to eligible entities to make our surface transportation infrastructure more resilient, including through the use of natural infrastructure, to the effects of extreme weather and natural disasters. Specifically, the bill provides \$7.3 billion in formula funding and \$1.4 billion in competitive grants over five years funded from the HTF. A portion of PROTECT competitive grants would be set aside for at-risk coastal infrastructure and evacuation routes

~More~

- The formula grant portion of PROTECT will be distributed to states in the same share the state receives based on its core formula apportionments. These funds may be used for construction activities that improve the resiliency of assets to current and future weather events and natural disasters, for strategies that allow for a continuity of operations or rapid recovery of surface transportation systems that serve critical needs following a disaster, including evacuation routes, or to protect coastal infrastructure that is at long-term risk to sea level rise. The federal share is 80 percent; however, funding from other federal sources may be used to cover the remaining 20 percent<sup>6</sup>
- The competitive grant program is intended to enable communities to assess vulnerabilities and plan infrastructure improvements and emergency response strategies to address community needs
- As part of the formula grant component of the PROTECT Program, see page 342 for establishment clause, DOT is to establish “competitive resilience improvement grants to protect, among other things, “natural infrastructure that protects and enhances surface transportation assets while improving ecosystem conditions, including culverts that ensure adequate flows in rivers and estuarine systems”
- On p. 346, “System Resilience” is defined, including “upgrades to an installation of culverts designed to withstand 100-year flood events”
- Eligible Entities:
  - States
- Federal Share:
  - Federal share shall not exceed 80%
    - Note: “A state may use Federal funds other than [than funds pursuant to the PROTECT Program] to meet the non-Federal cost share requirement”
- Existing or New Program? [New](#)<sup>7</sup>

6

<https://www.naco.org/sites/default/files/attachments/FAST%20Act%20vs%20ATIA%20Comparison%20%28007%29%20FINAL.pdf>

<sup>7</sup> The funding for the PROTECT Program, which in and of itself is divided into two parts, is somewhat unclear—in large part because a portion of the program is formula-based. In addition, the authorizations and appropriations, similar to the BIP on previous page of document, do not completely add up. Flagged as note for continued awareness.

## National Highway Performance Plan Amendments

Location

Division A, Title I, Subtitle A, Section. 11105 (p. 60)

- Amends Section 119 of 23 U.S.C. to redefine “protective features” pursuant to the National Highway Performance Plan Program
  - New definition includes, “replacing culverts with bridges or upsizing culverts”

Nationally Significant Freight and Highway Projects (aka INFRA Program)					
Location	Title I, Subtitle A, Section. 11110				
Responsible for Spend Plan Development	DOT				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note	Amended text allows for the funding of projects to “replace or rehabilitate a culvert, or to reduce stormwater runoff for the purpose of improving habitat for aquatic species.” Funding to remain until expended.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$3,200,000,000					
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: DOT</li> <li>▪ Program found at 23 U.S.C. 117, see <a href="#">here</a></li> <li>▪ Program website found <a href="#">here</a></li> <li>▪ Better known as “INFRA Grants,” this program awards grants to a broad array of projects, such as highway projects, railway-highway grade crossing projects, connections to ports and intermodal freight facilities, and elements of private freight rail projects that provide public benefits</li> <li>▪ In addition to reauthorizing and appropriating dollars for the INFRA program, the BIF amends the program for certain purposes <ul style="list-style-type: none"> <li>• Most notably, amended texts allows for the funding of projects to “replace or rehabilitate a culvert, or to reduce stormwater runoff for the purpose of improving habitat for aquatic species”</li> </ul> </li> <li>▪ Mostly a rail priority, but included in document due to amended projects relating to culverts and aquatic species</li> <li>▪ See page 584 of PDF, DOT is instructed to establish a new office, the Office of Multimodal Freight Infrastructure and Policy, to administer this program</li> </ul> <p>- Authorizations v. Appropriations:</p> <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 25; Appropriations found on p. 2,636</li> </ul> <p>- Existing or New Program? <a href="#">Existing</a></p>					

## SECTION 4: Environmental Protection Agency Programs

National Estuary Program					
Location	Division J- Appropriations				
Responsible for Spend Plan Development	EPA				
Spend Plan Development Timeline					
Eligible Entities	One of 28 estuaries of national significance				
Match Requirement					
Note	Direction given to the expenditure of \$132,000,000 with approximately \$110,000,000 designated for certain specific purposes.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$132,000,000	\$26,400,000	\$26,400,000	\$26,400,000	\$26,400,000	\$26,400,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Environmental Protection Agency (EPA)</li> <li>▪ The National Estuary Program (NEP) is an EPA place-based program to protect and restore the water quality and ecological integrity of estuaries of national significance. Currently, 28 estuaries located along the Atlantic, Gulf, and Pacific coasts and in Puerto Rico are designated as estuaries of national significance. Each NEP focuses within a study area that includes the estuary and surrounding watershed</li> <li>• NEP Website found <a href="#">here</a> <ul style="list-style-type: none"> <li>▪ Additional details about PCSRF found <a href="#">here</a></li> </ul> </li> <li>• Existing or New Program? <b>Existing</b>. Established in 1987 via Clean Water Act, Section 320</li> <li>• Notable Amendments to the Program in BIF? – <b>No</b></li> <li>• Notable Congressional Direction? <b>Yes</b>. Direction given to the expenditure of \$132,000,000, with ~\$110,000,000 designated for certain specific purposes</li> </ul>					

Environmental Restoration and Management Programs at EPA and FWS					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	EPA				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement	EPA Administrator may waive or reduce the required non-federal share for the aforementioned programs.				
Note	Funding broken down by geographic region. \$1,000,000 Great Lakes Restoration Initiative \$89,000,000 for Puget Sound \$79,000,000 for Columbia River Basin and \$4,000,000 for other geographic activities in the Pacific Northwest				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$1,717,000,000	\$343,000,000	\$343,000,000	\$343,000,000	\$343,000,000	\$343,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by EPA</li> <li>▪ Pursuant to Division A, Section 4 of P.L. 116-260</li> <li>▪ Key Appropriations, among others, as follows: <ul style="list-style-type: none"> <li>• \$1,000,000 Great Lakes Restoration Initiative</li> <li>• \$89,000,000 for Puget Sound</li> <li>• \$79,000,000 for Columbia River Basin; and</li> <li>• \$4,000,000 for other geographic activities in the Pacific Northwest</li> </ul> </li> <li>- Notable Congressional Direction? <a href="#">Yes</a>, EPA Administrator may waive or reduce the required non-Federal share for the aforementioned programs</li> <li>- Existing or New Program? <a href="#">Existing</a></li> </ul>					

Grants Pursuant to Save Our Seas Act					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	EPA				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note	Act includes provisions on derelict fishing gear study, removal and recycling.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$275,000,000	\$55,000,000	\$55,000,000	\$55,000,000	\$55,000,000	\$55,000,000
This program comes from recently passed legislation whereby the EPA will administer the program, see <a href="#">here</a> .					

## SECTION 5: Army Corps of Engineers Programs

Aquatic Ecosystem Restoration Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	USACE				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement	Feasibility study: 100% Federal 0% non-Federal for initial \$100,000; 50%:1 for remaining costs. Implementation costs: 65% Federal, 35% non-Federal				
Note	WRDA Section 206 projects. May include projects that “restore fish and wildlife passage by removing in-stream barriers and provide technical assistance to non-Federal interests”. Funding to remain through 2026 or until expended, whichever comes first.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$115,000,000	\$115,000,000				
<p>Program Overview:<sup>8</sup></p> <ul style="list-style-type: none"> <li>▪ Administered by: U.S. Army Corps of Engineers (USACE)</li> <li>▪ Under the authority provided by Section 206 of the Water Resources Development Act of 1996 (33. U.S.C. 2330), the Corps may plan, design and build projects to restore aquatic ecosystems for fish and wildlife. Projects must improve the quality of the environment, be in the public interest, demonstrate cost effectiveness and be no more than \$10 million in total cost. Recreation projects, if justified, may be included in the total project, but they may not increase the federal share of the total project by more than 10 percent. Additionally, projects should not be formulated for recreation and recreation should not detract from ecosystem benefits</li> </ul> <p>- AERP Website found <a href="#">here</a></p> <p>- Eligible Entities:</p> <ul style="list-style-type: none"> <li>▪ Section 206 projects begin after a non-federal sponsor requests Corps of Engineers assistance under the program. When funding is available, the Corps of Engineers prepares a feasibility study, beginning with an estimate of the overall scope and cost of the study and a determination of whether the project is in the federal interest. The feasibility study formulates alternatives to achieve the restoration, evaluates the environmental effects of the alternatives, documents the project requirements, and provides a scope and cost estimate for project implementation. If the feasibility report recommends a plan for implementation, the Corps of Engineers prepares detailed project plans and specifications and obtains any required federal permits. The Corps of Engineers then manages construction of the project by a private contractor</li> </ul> <p style="text-align: center;">~More~</p>					

<sup>8</sup> Corps appropriations are structured uniquely and without a clear timeline in stark contrast to other items in BIF.

- For Projects that:
  - “Restore fish and wildlife passage by removing in-stream barriers and provide technical assistance to non-Federal interests,” p. 2,472 of the BIF
- Federal Share:
  - 65% Federal, 35% non-Federal
- Existing or New Program? [Existing](#)<sup>9</sup>

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<sup>9</sup> This program is not to be confused with the Aging Infrastructure Funding, which is pursuant to P.L. 111-11, the 2009 Omnibus Lands Act. The Aging Infrastructure Funding does not appear to have direction to fish, aquatic habitat, or anything culvert related. If Aging Infrastructure Funding is known as relevant, details can be provided.

<b>Water-Related Environmental Infrastructure Assistance</b>					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	USACE				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$200,000,000	\$200,000,000	\$200,000,000	\$200,000,000	\$200,000,000	\$200,000,000

Construction, Replacement, Rehabilitation and Expansion of Inland Waterways Projects					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	USACE				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note	Required to prioritize projects included in the Capital Investment Strategy of ACOE. Funding to remain through 2026 or until expended, whichever comes first.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$2,500,000,000	\$2,500,000,000				
<p>“Construction, Replacement, Rehabilitation, and Expansion of Inland Waterways Projects”</p> <ul style="list-style-type: none"> <li>▪ Section 102(a) of WRDA 1986 (P.L. 99-662; 33 U.S.C 2212(a)) and 109 of WRDA 2020 (P.L. 116-260; 134 Stat. 2624) shall not apply to the \$2,500,000,000</li> <li>▪ For these funds, the Corps is required to prioritize projects included in the Capital Investment Strategy of the Corps of Engineers</li> </ul>					

**Aquatic Ecosystem Restoration Projects and Multi-Purpose Projects or Multi-Purpose Programs that Include Aquatic Ecosystem Restoration**

Location	Division J – Appropriations				
Responsible for Spend Plan Development	USACE				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note	Funding to remain through 2026 or until expended, whichever comes first.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$1,900,000,000	\$1,900,000,000				
<p>“Aquatic Ecosystem Restoration Projects and Multi-Purpose Projects or Multi-Purpose Programs that Include Aquatic Ecosystem Restoration as a Purpose”</p> <ul style="list-style-type: none"> <li>▪ Not less than \$1,000,000,000 shall be for multi-purpose projects</li> </ul>					

Shore Protection Projects					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	USACE				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$200,000,000	\$100,000,000	\$50,000,000	\$50,000,000		
<p>“Shore protection projects”</p> <ul style="list-style-type: none"> <li>▪ A place the money could potentially go is the Estuary Restoration Act of 2000, which empowered the Corps to develop a “National Estuary Habitat Restoration Strategy” between the public and private sectors</li> </ul>					

## SECTION 6: Department of Energy Programs

Incentive Payments to Hydroelectric Owners/Operators for Capital Improvements					
Location					
Responsible for Spend Plan Development	DOE				
Spend Plan Development Timeline					
Eligible Entities	Dam owners and operators				
Match Requirement	Federal share shall not exceed 30%				
Note	Funding to remain through 2026 or until expended, whichever comes first.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$553,600,000	\$553,600,000				
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Department of Energy, via Water Technologies Office</li> <li>▪ There is an existing program called the Hydroelectric Production Incentive Program (HPIP). It was established via the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 674, <a href="#">here</a>). HPIP can be traced to Title II, Subtitle C, Hydroelectric includes Section 241-246, which concern a number of hydro priorities. The BIF creates a <u>new</u> Section 247, which directs the Secretary of Energy to make “incentive payments” to hydroelectric operators for certain purposes <ul style="list-style-type: none"> <li>• Payments made must be for capital improvements directly related to, among other things, “improving dam safety,” “dam stability improvements,” “environmental improvements,” and “improving safe and effective fish passage, including new or upgraded turbine technology, fish ladders, fishways, and all other associated technology, equipment, or other fish passage technology”</li> </ul> </li> </ul> <ul style="list-style-type: none"> <li>- Eligible Entities: <ul style="list-style-type: none"> <li>▪ Dam owners and operators</li> </ul> </li> <li>- Prioritizations, for projects that: <ul style="list-style-type: none"> <li>▪ See above</li> </ul> </li> <li>- Federal Share: <ul style="list-style-type: none"> <li>▪ 30%</li> </ul> </li> <li>- Authorizations v. Appropriations: <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 1,575; Appropriations found on p. 2,496</li> </ul> </li> <li>- Existing or New Program? <a href="#">New, insofar as expanding programs from Energy Policy Act of 2005</a></li> </ul>					

### Limitations on Issue of Leases of Power Privilege

- Sec. 40336, Limitations on Issue of Leases of Power Privilege, additional provisions were added that impact the way FERC issues certain leases that must better account for impacts to fishing rights of Tribes in the Columbia Basin, additionally, projects must “adequately” protect, mitigate, and enhance fish and wildlife, p. 1,587-1,589
- Under Department of Energy

## SECTION 7: Department of Agriculture Programs

*(Note: Some key USDA programs are covered in the DOI section of this document due to multi-jurisdictional authorizations)*

Removal of Non-Hydro Power Federal Dams					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	USDA				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$10,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
<ul style="list-style-type: none"> <li>- P. 2,593 of the Appropriations Division of the BIF simply reads:               <ul style="list-style-type: none"> <li>▪ Department of Agriculture title of appropriations</li> <li>▪ “\$10,000,000 [over FY22-26] for the removal of non-hydro power Federal dams and for providing dam removal technical assistance”</li> </ul> </li> </ul>					

Legacy Roads and Trails Remediation Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	USFS				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$250,000,000	\$50,000,000	\$50,000,000	\$50,000,000	\$50,000,000	\$50,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: USDA via U.S. Forest Service</li> <li>▪ The LRTRP directs work towards urgently needed road decommissioning, road and trail repair and maintenance, and removal of fish passage barriers. The program emphasizes areas where Forest Service roads may be contributing to water quality problems in streams and water bodies that support threatened, endangered, and sensitive species or community water sources</li> <li>▪ Sec. 40801 amends the LRTRP by making adjustments to eligible activities, program eligibilities, and implementation guidelines, among other provisions</li> </ul> <ul style="list-style-type: none"> <li>- LRTRP website found <a href="#">here</a></li> <li>- Notable Congressional Direction: <ul style="list-style-type: none"> <li>▪ Activities defined to include restoration of passages for fish and other aquatic specific by improving, repairing, or replacing culverts and other infrastructure and removing barriers, as determined by the Secretary, from the passages</li> </ul> </li> <li>- Authorizations v. Appropriations: <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 1,770; Appropriations found on p. 2,593</li> </ul> </li> <li>- Existing or New Program? <a href="#">Existing, has not received full funding for years, perhaps since 2013</a></li> </ul>					

Watershed Rehabilitation Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NRCS				
Spend Plan Development Timeline	90 days				
Eligible Entities					
Match Requirement					
Note	Helps project sponsors rehabilitate aging dams that are reaching the end of their design lives. The rehabilitation addresses critical public health and safety concerns. Funding to remain until expended.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$118,000,000	\$118,000,000				
<ul style="list-style-type: none"> <li>- Program Overview: <ul style="list-style-type: none"> <li>▪ Administered by: USDA via NRCS</li> <li>▪ The WRP helps project sponsors rehabilitate aging dams that are reaching the end of their design lives. The rehabilitation addresses critical public health and safety concerns</li> </ul> </li> <li>- Notable Congressional Direction? <b>Yes</b>, within 90 days of passage of BIF, USDA is to submit to Senate and House Appropriations Committees a spend plan, including a list of project locations and project cost</li> <li>- More information can be provided upon request</li> <li>- WRP Website found <a href="#">here</a></li> <li>- Existing or New Program? <b>Existing</b></li> </ul>					

Emergency Watershed Protection Program					
Location	Division J – Appropriations				
Responsible for Spend Plan Development	NRCS				
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Note	Allows communities to quickly address serious and long-lasting damages to infrastructure and to the land. Does not require a disaster declaration by federal or state government officials for program assistance to begin. NRCS State Conservationist can declare a local watershed emergency and initiate EWP program assistance in cooperation with an eligible sponsor. All funded projects must demonstrate they reduce threats to life and property; be economically, environmentally and socially sound, and must be designed to acceptable engineering standards, if applicable. Funding to remain until expended.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$300,000,000	\$300,000,000				
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: USDA via NRCS</li> <li>▪ The EWP Program allows communities to quickly address serious and long-lasting damages to infrastructure and to the land. The EWP Program authorities offer NRCS the flexibility to act quickly to help local communities cope with adverse impacts resulting from natural disasters. EWP does not require a disaster declaration by federal or state government officials for program assistance to begin. The NRCS State Conservationist can declare a local watershed emergency and initiate EWP program assistance in cooperation with an eligible sponsor. NRCS will not provide funding for activities undertaken by a sponsor prior to the signing of a cooperative agreement between NRCS and the sponsor <ul style="list-style-type: none"> <li>• If funding becomes available, all funded projects must demonstrate they reduce threats to life and property; be economically, environmentally and socially sound; and must be designed to acceptable engineering standards, if applicable</li> </ul> </li> <li>- Notable Congressional Direction? <b>Yes</b>, money spent must be as designated by Congress as being for emergency requirements pursuant to Section 4112(a) of H.Con.Rest.71 (115<sup>th</sup> Congress), the concurrent resolution on the budget for FY 2018, and section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985</li> <li>- Eligible Projects: <ul style="list-style-type: none"> <li>▪ Debris removal from stream channels, road culverts, and bridges, reshaping and protecting eroded streambanks, correcting damaged or destroyed drainage facilities, establishing vegetative cover on critically eroding lands, repairing levees and structures, and repairing conservation practices</li> </ul> </li> </ul> <p style="text-align: center;">~More~</p>					

- Ineligible Activities
  - Remedying problems prior to a disaster, improving lands to levels of protection beyond prior to disaster, operation and maintenance, repairing private or public transportation facilities, installing non-essential restoration work, or restoring projects installed by another federal agency
- EWP Website found [here](#)
  - Website provides description of complex eligibility process
- Existing or New Program? [Existing](#)

Joint Chiefs Landscape Restoration Partnership Program					
Location	Division D, Title VIII, Sec. 40808				
Responsible for Spend Plan Development	USFS and NRCS				
Spend Plan Development Timeline					
Eligible Entities	To be administered in coordination with state, Tribal and private land entities				
Match Requirement					
Note	Designed to reduce risk of wildlife, protect water quality and supply, and improve wildlife habitat for at-risk species.				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$450,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000	\$90,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: USDA via U.S. Forest Service and Natural Resources Conservation Service</li> <li>▪ The Joint Chiefs program is designed to reduce risk of wildfire, protect water quality and supply, and improve wildlife habitat for at-risk species</li> <li>▪ To be administered in coordination with State, Tribal, and private land entities</li> <li>▪ Certain exclusions are directed, excluded activities include those in wilderness areas, roadless areas, and Congressionally or Presidentially prohibited vegetation removal areas</li> </ul> <ul style="list-style-type: none"> <li>- JCLRPP website found <a href="#">here</a></li> <li>- Notable Congressional Direction: <ul style="list-style-type: none"> <li>▪ For FY22 and FY23, the Chiefs of USFS and NRCS are to submit a report to Congressional Agriculture and Appropriations Committees on the status and outcome of projects under the program</li> </ul> </li> <li>- Authorizations v. Appropriations: <ul style="list-style-type: none"> <li>▪ Authorizations found on p. 1,821; Appropriations not found in BIF</li> </ul> </li> <li>- Existing or New Program? <a href="#">Existing</a></li> </ul>					

## SECTION 8: Department of Homeland Security

Building Resilient Infrastructure and Communities Program					
Location	Division J – Appropriations (p. 2,538)				
Responsible for Spend Plan Development	FEMA				
Spend Plan Development Timeline					
Eligible Entities	States, local communities, Tribes, territories				
Match Requirement	25%				
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$1,000,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000	\$20,000,000
<p>Program Overview:</p> <ul style="list-style-type: none"> <li>▪ Administered by: Department of Homeland Security (DHS), via Federal Emergency Management Agency (FEMA)</li> <li>▪ BRIC was introduced in FY2020 by FEMA. Under the Disaster Recovery Reform Act of 2018, for each major disaster declaration, the President may set aside from the Disaster Relief Fund (DRF) an amount equal to 6% of the estimate aggregate amount of funding awarded under the Stafford Act               <ul style="list-style-type: none"> <li>• Because of COVID-19 disaster declarations resulted in additional funding, there was 1.637 billion set aside in the DRF. For FY21, FEMA announced \$1 billion in funding for BRIC; as context, \$500,000,000 was announced in FY20, the first year of the program's existence</li> </ul> </li> <li>- Program website for BRIC can be found <a href="#">here</a> <ul style="list-style-type: none"> <li>▪ Helpful infographic about how the program works is found <a href="#">here</a></li> </ul> </li> <li>- Notable Congressional Direction?               <ul style="list-style-type: none"> <li>▪ Yes, the BIF includes the Wildland Fire Mitigation and Management Commission Act of 2021 (WFMMC), see p. 2,185 of the PDF. Under the WFMMC, the Secretaries of Interior, Agriculture, and Homeland Security are directed to establish a joint commission to make recommendations about how to better prevent, mitigate, suppress, manage, and rehabilitate wildland fires/impacted areas. Among the duties of the commission, an evaluation of the BRIC is directed, see p. 2,196 of the PDF</li> </ul> </li> <li>- Eligible Entities:               <ul style="list-style-type: none"> <li>▪ States, local communities, tribes, territories</li> </ul> </li> <li>- Federal Share:               <ul style="list-style-type: none"> <li>▪ 75% federal, 25% non-Federal                   <ul style="list-style-type: none"> <li>• Exceptions for small/impoverished communities</li> </ul> </li> </ul> </li> </ul> <p style="text-align: center;">~More~</p>					

- Authorizations v. Appropriations:
  - Authorizations found on N/A; Appropriations found on p. 2,538
- Existing or New Program? Existing, but subject to BIF-directed ongoing review

## Flood Mitigation Assistance Program

Location	Division J – Appropriations (p. 2,539)				
Responsible for Spend Plan Development	FEMA				
Spend Plan Development Timeline					
Eligible Entities	States, local communities, Tribes, territories				
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$3,500,000,000	\$700,000,000	\$700,000,000	\$700,000,000	\$700,000,000	\$700,000,000

**Program Overview:**

- Administered by: DHS, via FEMA
- FMAP is a competitive grant program that provides funding to states, local communities, federally recognized Tribes and territories. Funds can be used for projects that reduce or eliminate the risk of repetitive flood damage to buildings insured by the National Flood Insurance Program (NFIP)
- FEMA chooses recipients based on the applicant’s ranking of the project and the eligibility and cost-effectiveness of the project
  - Other Congressional direction can be found the BIF, see p. 2,540 of PDF, regarding certain Census Tract activities and in areas meeting certain income thresholds
- Program website for FMAP can be found [here](#)
- Eligible Entities:
  - States, local communities, tribes, territories
- Federal Share:
  - Congress allows FEMA to withdraw funds from the National Flood Insurance Fund and use those funds to operate the NFIP, but the spending authority to use these offsetting collections for FMAP must be authorized in appropriations acts ([42 U.S.C. §4017\(f\)](#))
  - Generally, federal funding is available for up to 75% of eligible costs. However, FEMA may contribute up to 90% for repetitive loss properties and up to 100% for severe repetitive loss properties
- Authorizations v. Appropriations:
  - Authorizations found on N/A; Appropriations found on p. 2,539
- Existing or New Program? [Existing](#)

Section 9: MISC

Consultations and Permitting Related to Endangered Species Act, Marine Mammal Protection Act, and Essential Fish Habitat					
Location	Division J – Appropriations				
Responsible for Spend Plan Development					
Spend Plan Development Timeline					
Eligible Entities					
Match Requirement					
Total Proposed Allocation	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026
\$20,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000
<ul style="list-style-type: none"> <li>- Language simply reads: “\$20,000,000 shall be for consultations and permitting related to the Endangered Species Act, the Marine Mammal Protection Act, and Essential Fish Habitat”</li> <li>- Existing or New Program? <a href="#">Existing</a></li> </ul>					

BYLAWS  
FISH PASSAGE BARRIER REMOVAL BOARD (FBRB)  
March 2019

**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 will be ineligible to participate in formal decisions. 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 more effectively make decisions.

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.

## **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.



June 8, 2022

The Honorable Pete Buttigieg  
Secretary of Transportation  
US Department of Transportation  
1200 New Jersey Ave. SE  
Washington, DC 20590

Dear Secretary Buttigieg:

We appreciate the diligent work of USDOT in administering programs created in the Bipartisan Infrastructure Law (BIL). We worked closely with our congressional delegation to advocate for the creation of the National Culvert Removal, Replacement and Restoration Grant Program. In addition, Washington state and USDOT staff have continued to engage in a collaborative dialogue to ensure the funds are targeting collective priorities for salmon and watershed health. The state and local roadway network throughout Washington state includes thousands of fish barrier culverts that were built to federal design standards, many of which benefited from federal funding. However, while we followed federal guidance at the time, these culverts had an unintended consequence of blocking salmon from reaching upstream habitat contributing to a decline in salmon populations, impacting watershed health and function, and violating tribal treaty rights. This new grant program can provide critical resources as we work to correct these barriers in a way that is consistent with natural stream process, is more resilient to climate change impacts, and respects the treaty fishing rights of our tribal partners.

As USDOT develops criteria for this program, we request that you prioritize criteria that (1) Prioritize projects that have the highest and most immediate benefit to fish; (2) allow a program of projects; (3) reward collaborative partnerships; and (4) reduces the administrative burden on applicants,

Please consider the following specific priorities:

1. Prioritize projects that have the highest and most immediate benefit to fish:
  - When scoring, give the most weight to projects that benefit ESA-listed species;
  - Prioritize projects that also address stormwater treatment, including retrofits; and

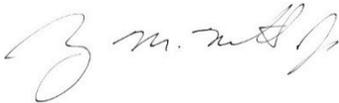
- Prioritize projects based on immediacy and habitat. For example, consider habitat gain and functional improvement as may be influenced by other barriers upstream or downstream of the project area.
2. Allow for Program of Projects (aka project bundling), allowing applicants to correct multiple culverts as part of a single contract. This can provide multiple benefits including:
    - **Watershed Benefits:** Often a single fish barrier has other fish barriers upstream and downstream that are owned by another party. Bundling fish barrier corrections into a single project has significant watershed benefits since a larger amount of fish habitat is made accessible to fish. This method helps to achieve salmon recovery priorities for tribal, state, regional, and local governments, and organizations.
    - **Cost Benefits:** Bundling leverages economy of scale. There are savings per fish barrier in nearly every phase of project due to an increased level of production. Bundling barriers leverages the investments being made by state agencies, tribes, local governments and private industries.
    - **Minimizing Public Impact:** Bundling reduces the impacts of disruptive road closures to communities since fish barrier correction projects often significantly impact the travelling public during construction.
    - Finally, it's important to note that allowing bundling under the National Culvert Program is consistent with opportunities under the Bridge Investment Program.
  3. In selecting projects, USDOT should consider the extent to which a project is consistent with agency planning documents and whether the applicant has engaged with appropriate external partners, including consulting tribes.
    - Leverage programs that have existing processes for prioritization, vetting, and accountability. In Washington for example, this includes the legislatively established Brian Abbott Fish Barrier Removal Program and the Family Forest Fish Passage Program or court-ordered barrier injunction compliance plans.
    - Increase scoring weight for projects that are locally vetted or evaluated by a state-level program.
  4. Reduce the administrative burden and cost of the grant program:
    - Minimize the length and complexity of the grant application.
    - Consider pre-proposals or other administrative techniques to pre-screen for qualified applications to reduce the burden on marginalized or disadvantaged communities or applicants with limited resources.
    - Provide technical assistance to marginalized or disadvantaged communities and small jurisdictions to ensure they have equal access and ability to compete in the program.

Thank you for your consideration of these priorities as you develop criteria for the National Culvert Removal, Replacement and Restoration Grant Program. Adopting the above priorities and criteria and incentivizing project bundling and collaborative partnerships will increase the effectiveness of the program.

USDOT Culvert Grant Program Letter  
6/8/22

If you have any questions or if we may provide additional information, please contact Megan Cotton, WSDOT Tribal & Federal Relations Director at [cottonm@wsdot.a.gov](mailto:cottonm@wsdot.a.gov) or (360) 480-7713.

Sincerely,



Roger Millar, PE, FASCE, FAICP  
Secretary of Transportation



Kelly Susewind  
Director  
Washington Department of Fish and  
Wildlife



Laura L. Blackmore  
Executive Director  
Puget Sound Partnership



Megan Duffy  
Director  
Recreation and Conservation Office



Erik Neatherlin  
Director  
Governor's Salmon Recovery Office



Alicia Seegers Martinelli  
Interim CEO  
Association of Washington Cities



Eric Johnson  
Executive Director  
Washington State Association  
of Counties



**U.S. SENATE COMMITTEE ON  
COMMERCE, SCIENCE & TRANSPORTATION**  
*Senator Maria Cantwell, Chair*

commerce.senate.gov  @CommerceDems

**For Immediate Release**

June 15, 2022

**Contact:**

[Tricia\\_Enright@commerce.senate.gov](mailto:Tricia_Enright@commerce.senate.gov)

## **Federal Funds Now Available to Help Remove Fish Passage Barriers and Open Salmon Habitat**

*Bipartisan Infrastructure Law included \$77 million in funding to  
remove dams, culverts, and other obstacles to salmon*

**WASHINGTON, D.C.**—U.S. Senator Maria Cantwell (D-Wash.), Chair of the Senate Committee on Commerce, Science, and Transportation, encouraged eligible states, counties, municipalities and Tribes to apply for a total of \$77 million in grant opportunities to fund fish barrier removal projects made possible by the Bipartisan Infrastructure Law. The National Oceanic and Atmospheric Administration (NOAA) opened the application process for two fish habitat restoration grant programs with one focused on Indian Tribes.

**“Today’s announcement will deliver \$77 million in competitive grants for projects to open up fish migration pathways and boost salmon survival,”** said Senator Cantwell. **“These NOAA grants will support state, local and Tribal projects to remove barriers such as small culverts, dikes, deadbeat dams and other blockages that prevent fish from accessing spawning grounds. Grants may also be used to support project planning and design, a key need for local communities and Tribes that are working on developing new habitat restoration solutions from the ground up.”**

The two programs are part of a [\\$2.855 billion investment in salmon habitat recovery](#) championed by Senator Cantwell in the Bipartisan Infrastructure Law.

**NOAA Restoring Fish Passage through Barrier Removal:** Up to \$65 million is available for projects that restore migratory paths and habitat for fish. Partners will use the funds to remove small deadbeat dams, salmon-blocking culverts, and other instream barriers. These grants will also fund project design and development, to help support underserved communities identify, plan and execute fish passage projects. The application deadline is August 15, 2022.

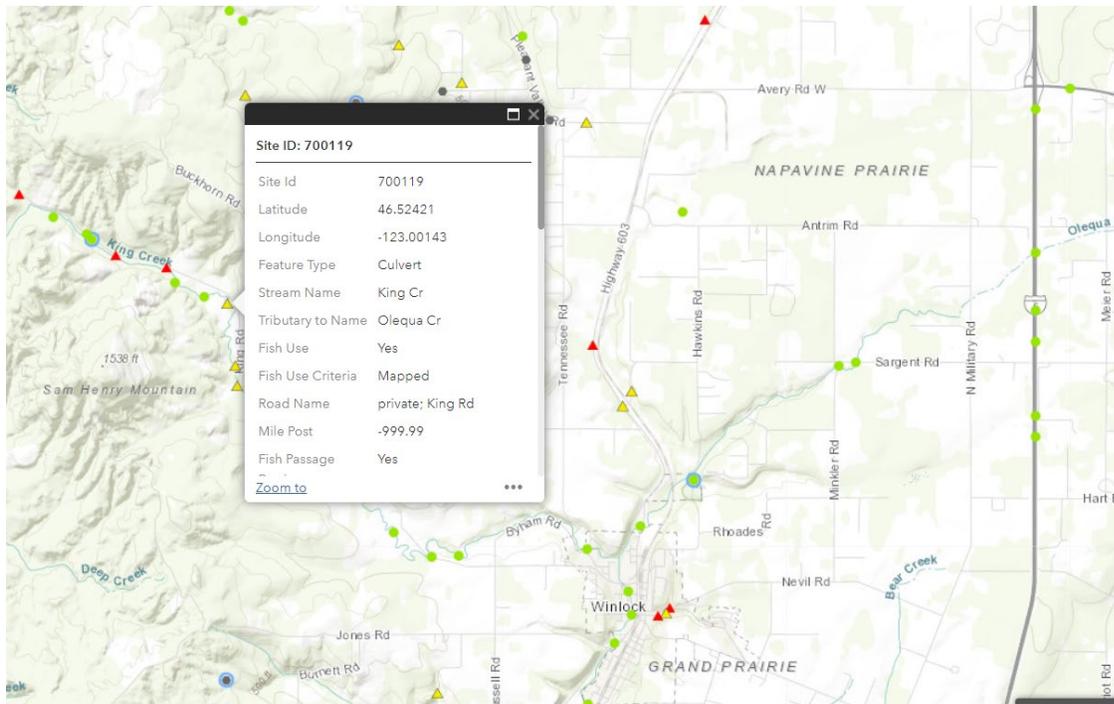
**Restoring Tribal Priority Fish Passage through Barrier Removal:** Up to \$12 million in funding is available to support Indian Tribes, Tribal commissions, and Tribal consortia to restore migratory pathways for fish, and access to healthy habitat for species important to Indian Tribes and Treaty Rights. Grants may also be used for capacity building and project development, to enable more Tribes to participate in habitat restoration programs. The application deadline is August 29, 2022.

The Notice of Funding Opportunity (NOFO) for the program is [HERE](#).

**FBRB Cost Increase Requests  
to Adjudicate in Subgroup Meeting Friday, June 17<sup>th</sup>, 2022**

**Request for King Creek (Graves)**

- 19-21 FBRB biennium, King Creek (Graves)
  - Ranked # 48 out of 51 funded projects
  - FPDSI site ID 700119
  - RCO Prism Project # 19-1586
  - County - Lewis
  - Ownership - Private Barrier
  - Type- Depth Barrier 33% passable
  - Partnership Pathway Project
  - Restoration/full construction project
  - Sponsor Lewis Conservation District
  - Initial grant \$200,000

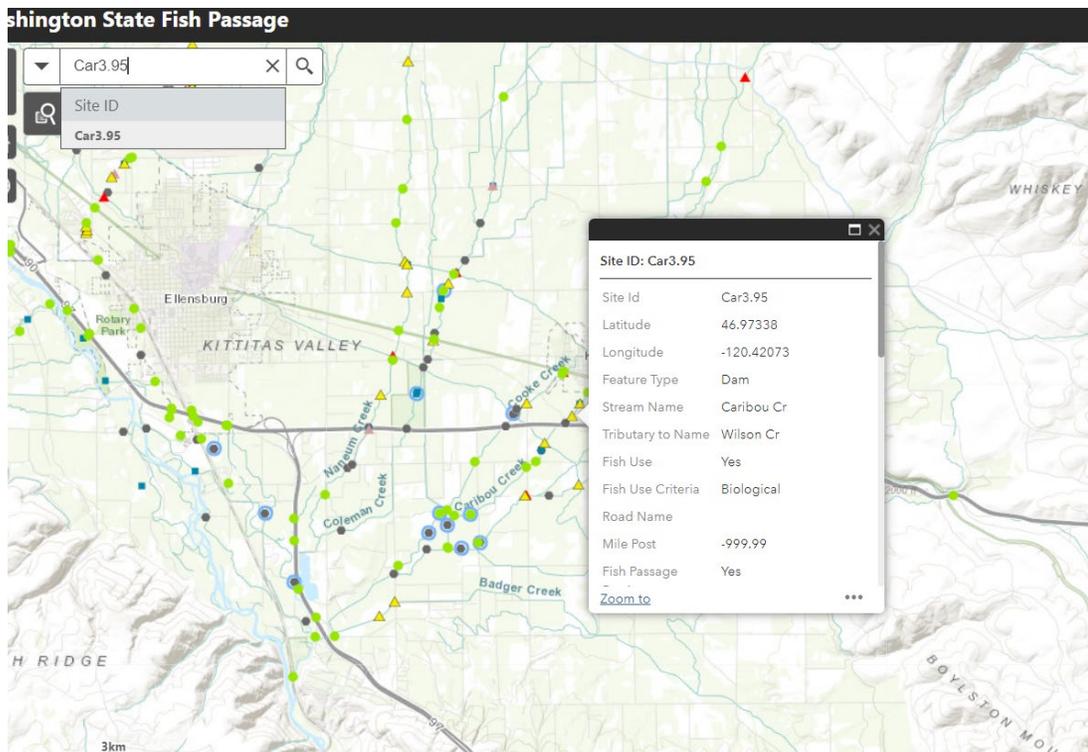




- Cost increase request of \$90,000 which constitutes a 45% cost increase which equates to a board decision.
- Sponsor Explanation for Cost Increase: This project was originally funded in 2019. Unfortunately, it took a couple of years to obtain the match. In the meantime, the costs for everything increased to \$116,553 over our current RCO agreement amount. We have secured the bridge and all the support structures. We have hired a contractor pending the approved cost increase. This project is scheduled to be completed this summer. We are asking for a cost increase of \$90,786. We have an additional \$25,679 in match to cover the remaining costs.
- RCO Grant Manager Justification for Cost Increase: The cause is straight forward as, higher costs than expected for materials and labor bids. The project sponsor can maintain slightly above minimum match and current accounting shows more than enough return unobligated funds in the 19-21 fund to cover this request if approved by the FBRB or FBRB staff. This project is slated to be constructed this summer if the increase is approved which makes the review a higher priority.
- **FBRB Subgroup recommendation to full board: Recommended to Board for approval.**

## Request for Caribou Creek (two barriers)

- 19-21 FBRB biennium, Caribou Creek (two barriers)
  - Ranked # 22 out of 51 funded projects
  - FPSI Site IDs Car3.95 & Car4.16
  - RCO Prism Project # 19-1618
  - County - Kittitas
  - Ownership – Private
  - Barrier Type – Car 3.95 Water Surface Drop, 33% passable
    - Car 4.16 - Water Surface Drop, 33% passable
  - Priority Watershed Pathway – Wilson-Cherry
  - Restoration/full construction project
  - Sponsor Kittitas Conservation District
  - Initial grant \$355,000



Car 3.95



Car 4.16



- Cost increase request of \$191,954 which equates to a board decision (request over \$100K or more than 10%), this is also a 54% cost increase.
- Sponsor Explanation for Cost Increase: A significant component of this project is an irrigation supply pipeline that allows consolidation of diversion points so that two concrete structures in Caribou Creek can be removed. In 2021, pipe prices skyrocketed, and it was apparent that the grant funding would not be sufficient. It was hoped that the high prices could be waited-out but that has not occurred. The prices are now 2.5 times higher than when the original cost estimate was made in 2018. In addition, fuel prices are driving up the costs of installation of the pipelines. The total request for

additional grant funds is \$191,954. KCCD will provide an additional \$33,901 in matching funds to maintain the 15% match.

- RCO Grant Manager Justification for Cost Increase: The Conservation District came to the Board last year informing us that the cost for plastic pipe had doubled since their project had been funded. They requested their project be extended for an additional year in hopes that costs for pipe would stabilize and hopefully go down in 2022 so that they might not have to request an increase or at least not have to request as much as they estimated last year. The CD's manager Anna Lael informed me prices were roughly the same as last year, so they'd like to move forward with project construction. With that in mind they are now requesting a cost increase of \$191,954 to fully fund the project at a level that will allow them to complete the project in 2022. There are currently \$1.1 million of unobligated funds in the 19-21 budget. I ask that you please consider this request and if you approve move it forward to the cost increase sub-committee for their review and consideration. I've read the request materials and agree this request is appropriate and fair. I would also commend the CD for trying to avoid having to request an increase by delaying their project for one year.
- **FBRB Subgroup recommendation to full board: Recommended to Board for approval.**