



Brian Abbott Fish Barrier Removal Board – August 2024 Meeting Summary

Date: Aug 27, 2024

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

Location: Virtual Meeting

Summary: Formal Actions / Decisions

Item	Formal Action
Board Decision: July 2024 Meeting Notes	Approved
Board Decision: 2025-2027 Ranked Project List	Approved
Board Decision: Carpenter Creek Cost Increase Request	Approved
Board Decision: Eagle Creek Cost Increase Request	Approved

Summary: Follow-up Items and Next Steps

Item	Follow-up
Fish Passage Strategy Subcommittee(s)	A Fish Passage Strategy Subcommittee will be formed in September 2024 to discuss and provide feedback on Fish Passage Strategy implementation.
Funding Status Updates (Ongoing)	WDFW and RCO will keep the Board updated on the status of returned funds. A decision on whether to 1) retain funds for cost increases or 2) advance funds to alternates down the ranked project list is anticipated this fall.
Padden Creek Cost Increase Request (Ongoing)	Cost Increase subcommittee will work with the project sponsor to increase A&E funding to help reach final design by reallocating their current reward.
Fish Passage Strategy Input (Long-term)	The Board and support staff are invited to attend one of two events hosted by WDFW to solicit input on the draft Fish Passage Strategy this fall. Event details and registration is available online: https://wdfw.wa.gov/species-habitats/habitat-recovery/fish-passage/assessment/strategy
2027-2029 Grant Round (Long-term)	The Board will discuss updates to the next grant round RFP based on topics identified by Board staff.
Match Modernization (On Hold)	The Board will continue to monitor the Salmon Recovery Funding Board (SRFB)'s implementation of match modernization and consider updating the Board match requirements for future grant rounds.

Welcome/Introductions/Agenda Review:

Triangle Associates (Triangle) facilitator, Joy Juelson, called the meeting to order at 9:00 a.m. Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW), welcomed attendees. Chair Jameson opened the meeting, emphasizing that this is a decision-making session to approve the 2025-2027 Ranked Project List. The next meeting, scheduled for October 1, 2024, will be held off-site and will include a tour of a site in Riverside, Washington, near Omak. On the second day, the Board will visit a site on the Icicle River in Leavenworth, Washington.

Joy facilitated introductions with Board members and staff. A quorum was present.

Staffing Update:

Chair Jameson noted that Tim Young, WDFW, was promoted to Inventory and Assessment Section Manager on August 26, 2024.

Old Business:

Joy reviewed the notes from the July 16, 2024 meeting. John Foltz, Recreation and Conservation Office (RCO) suggested a change, noting that the Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation Program (PROTECT) Funds list was never part of the Board's project list but was instead associated with a separate RFP program. He recommended editing the summary notes to reflect this change. The summary notes were edited to remove reference to the PROTECT funds.

Decision: Approval of July 2024 Meeting Summary

Chair Jameson made a motion to approve the July meeting summary. Steve Manlow seconded the motion. With no objections, the July meeting summary was approved.

Public Comment: None

Board Approval of the 2025-2027 Project List***Background***

Chair Jameson provided some history that the Board was initially an unfunded mandate. The first project list was developed during the 2017-2019 biennium. The current list for 2025-2027 totals \$77.2 million, with sponsors contributing more than \$30 million in matching funds. This brings the total project funding to more than \$100 million.

Kaylee Kautz, WDFW, presented an overview of the 2025-2027 Project List, highlighting that it represents the culmination of four years of work. The Request for Proposals (RFP) was released in October 2023, a month earlier than usual, in response to sponsor requests. The development of the list involved collaboration with staff from RCO and WDFW's Technical Review Team (TRT), which includes WDFW's Inventory and Assessment Team, scoping biologists, and IT and database manager.

More than 60 applications were reviewed, with 55 projects meeting eligibility requirements and being ranked. These 55 projects address 89 barriers, with a total funding request of \$77,190,000. The list is shorter than expected because additional federal funding opportunities were available to sponsors so they did not submit to FBRB's program, including 12 projects that applied and received federal PROTECT funds.

Questions and Discussions

Board members raised several important questions, including inquiries about how many projects in the current round were previously funded for planning, details about a project with unknown ownership, and the context of projects with downstream barriers. It was clarified that no projects on the ranked list have

full downstream barriers, though some have partial ones. Additionally, it was noted that the Department of Natural Resources' interest in the Board is connected to its partnership with the Family Forest Fish Passage Program.

Voting and Conflicts of Interest

Joy Juelson noted the voting members of the Board and asked if any Board members had conflicts of interest.

- John Box abstained from voting because the Confederated Tribes of the Colville Reservation has a project on the ranked list.
- Susan Eugenis abstained from voting because Cowlitz County has four projects on the list.

The voting members present were April Magrane, Axel Swanson, Carl Schroeder, Chair Jameson, Steve Manlow, Tim Resseguie, Karen Zirkle and Erik Neatherlin.

Decision: Approval of the 2025-2027 Ranked Project List

Carl made a motion to advance the 2025-2027 Ranked Project List to the Washington legislature. Chair Jameson seconded the motion, and it was unanimously approved.

Approved Ranked Project List Next Steps

1. The Recreation and Conservation Office (RCO) submits a ranked project list to the legislature, typically as part of its capital budget request.
 - a. The legislature and governor will review the ranked list.
 - b. The Association of Cities (Carl Schroeder) and Counties (Axel Swanson) will meet with representatives to coordinate questions to the Board.
 - c. Governor's Draft Budget: The governor submits a proposed budget in December, which includes funding recommendations for various projects. It is common for only a portion of the requested or ranked project list to be included in this first draft.
 - d. House and Senate Negotiations: After the governor's budget is reviewed, the House and Senate develop their own budget versions, which are debated and reconciled. A compromise budget is typically reached by mid-April, during the regular session.
 - e. Final Funding Line: By April/May, the final budget is adopted, and the funding line for projects becomes clear.
 - f. RCO will begin reaching out to funded sponsors by June/July.
2. Looking ahead to the next RFP, the development process will be informed by insights from the Board and will include:
 - a. Coordination with the Statewide Fish Passage Prioritization Strategy
 - b. Cost and matching fund discussions
3. After the October FBRB site-tours, RCO would like the Board to make decisions on the following topics before the next RFP is launched in October 2025:
 - a. Addressing cost increases
 - b. Implementing the Statewide Fish Passage Prioritization Strategy
 - c. Matching funds discussions
 - d. Establishing a minimum score requirement for project rankings

Note: If the Climate Commitment Act is repealed, it could significantly alter the funding scenario.

Path Forward: Develop future Board meeting agendas based on the topics above to solicit input prior to the next RFP cycle in October 2025.

Discussion on Mill Creek Projects

The Board discussed how the Mill Creek projects on the ranked list are within the same system as other Board projects. The U.S. Army Corp of Engineers has secured funding to install a new fish ladder in 2025 at the Bennington Dam, which is located upstream of FBRB-funded projects on Mill Creek. The first adult Walla Walla stock spring Chinook will be returning in 2025 as a result of the Confederated Tribes of the Umatilla Indian Reservation’s reintroduction program.

Cost Increase Requests – Two Projects

John Foltz outlined the process for handling cost increase requests. These requests are submitted by the sponsor to RCO, which then presents them to the Cost Increase Subcommittee (subcommittee). The subcommittee first considers whether the Board has the available funds to support the projects. The second question is whether the engineer’s estimate is reasonable. Currently, the Board has set aside \$1.5 million for cost increases. As a decision item, the Board considered the following two cost increase requests ([see pg. 31 of meeting handout for more information](#)).

1. Hickox Road Carpenter Creek Cost Increase Request (21-1391)

- Request: \$177,323 due to inflation.
- Steve Manlow from the subcommittee noted that the request was very straightforward.

Decision: Approval of the Hickox Road Carpenter Creek Cost Increase Request

Karen Zirkle made a motion to approve the cost increase request for Hickox Road Carpenter Creek. Chair Jameson seconded the motion. The motion to approve the \$177,323 cost increase for the Hickox Road Carpenter Creek project based on the subcommittee’s recommendation and was carried.

2. Eagle Creek Four Barriers Cost Increase Request (21-1412)

- Request: \$452,582
- The Eagle Creek project involved bids for a four-barrier project, with estimates requested for 2, 3, and 4 projects. Based on the bids received, the sponsor had enough funding to support two of the lower projects. RCO recommended moving forward with the lower two barriers. The bids remain valid if construction begins next year. Chelan County secured \$311,764 in matching funds from a federal grant and is requesting the remaining \$452,582 to complete the remaining two barriers.
- John Box from the subcommittee shared that the sponsor’s request was logical, making this an attractive cost increase request.

Decision: Approval of the Eagle Creek Four Barriers Cost Increase Request

Carl made a motion to approve the cost increase request for Eagle Creek. Eric seconded the motion. The motion to approve the \$452,582 cost increase for the Eagle Creek project, based on the subcommittee’s recommendation, was carried.

Discussion of Padden Creek Cost Increase Request

In addition to the two cost increase requests above, the Board considered another cost increase request on Padden Creek, which was not ready for a Board decision. This is the largest cost increase request the Board has ever received. The subcommittee is considering a wide range of options to address the request.

The \$2.4 million cost increase request was one of three projects approved on Padden Creek by the Board in the 2023-2025 biennium. The site is located just downstream of a WSDOT project on I-5. The cost increase is necessary due to design updates resulting from site conditions.

- Josh Lambert shared that the sponsor discussed the project with RCO yesterday and is willing to work with the Board to rescope the project with updated designs. They understand that a \$2.4 million request is unrealistic, and the project will likely move forward with additional design work in collaboration with WDFW Scoping and TRT.
- John Box added that the subcommittee is interested in the sponsor pursuing additional funding opportunities for matching funds.
 - Josh Lambert noted RCO is helping the sponsor identify additional funding, and this could be an opportunity to use direct funding through provisos.
 - John Foltz noted that the federal Aquatic Organism Passage (AOP) program is now open and closes on September 23, 2024, with \$196 million available.

This is the largest cost increase request the Board has ever received. The subcommittee is considering a wide range of options to address the request. The project is not yet ready for a formal request to the Board.

Path Forward:

- The subcommittee will work with the project sponsor to increase A&E funding percentage of the project to help reach final design by reallocating their current reward.
- The subcommittee will consider the following discussion topics at future meetings to guide decisions like Padden Creek:
 - How can the TRT identify major design issues earlier in the review process to minimize the risk of cost increases?
 - Should costs have a great effect on project scores more?
 - Should the Board establish a cost increase request cap?

Board Project Funding Updates - Presented by John Foltz (RCO) and Chair Jameson (WDFW)

- The 2017-2019 project list is complete.
- For the 2023-2025 project list, funding has been allocated down to project 61. \$4.1 million of returned funds are available for cost increase requests or funding alternatives down the ranked list.
- Skagit County's \$3.4 million Fisher Creek project was funded with PROTECT funds and the return of the funds to the Board is pending.

Path Forward: Determine how much the Board should set aside for future cost increases.

Upcoming Opportunities for Engagement

Chair Jameson shared that the Fish Passage Prioritization Strategy project team will host two hybrid meetings this fall to solicit input from a broad audience on the draft Strategy. More information and registration available on the [WDFW project website here.](#)

- Western Washington
 - Date/Time: September 18th, 1:00–3:30 p.m.
 - Location: Bethaday Community Learning Space, Multi-purpose Room: 605 SW 10th St., Seattle, WA 98146, or online (link provided upon registration).

- Eastern Washington
 - Date/Time: October 2nd, 2:00–4:30 p.m.
 - Location: Confluence Technology Center, Methow Room: 285 Technology Center Way #102, Wenatchee, WA 98801, or online (link provided upon registration).

The Board will have a role in shaping the implementation of the Strategy.

Other Updates

- **Chair Jameson’s Update on Fish Passage Rulemaking:** Chair Jameson provided an update on the final rulemaking process for fish passage. WDFW anticipates that rulemaking will take place in early 2025.
- **Recent Media Coverage:**
 - Seattle Times articles
 - WSDOT blog
 - Governor’s Office newsletter
- **Upcoming Presentation to the Stevens Treaty Tribes**
WDFW, alongside WSDOT, will present to the Stevens Treaty Tribes to clarify the differences between the Strategy and the obligations under the Culvert Case Injunction.
- **Legislative Engagement Opportunities**
Once the ranked list is submitted to the legislature, there will be further opportunities for engagement.

Wrap Up

Chair Jameson reminded the Board that the next Board meeting will be hosted in-person on October 1st in Omak, WA at the 12 Tribes Casino and followed by a site tour on October 2nd in Riverside.

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

Next Meeting: In-person on October 1st at the 12 Tribes Casino, Omak WA

ATTENDANCE

Board Members/Alternates:

April Magrane, Washington State Department of Transportation (WSDOT)	Erik Neatherlin, Governor's Salmon Recovery Office (GSRO)
Carl Schroeder, Association of Washington Cities (AWC)	Steve Manlow, Council of Regions
Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW)	Susan Eugenis, Washington State Association of Counties (WSAC)
John Box, Colville Tribes	Tim Resseguie, Yakima Nation
Susan Kanzler, Washington State Department of Transportation	Alex Swanson, WSAC
Kaylee Kautz, WDFW	Karen Zirkle, Washington Department of Natural Resources
Jeannie Abbott, GSRO	

WDFW, RCO Staff and Triangle Facilitation Team:

Casey Costello, WDFW	Molly Borgaard, WDFW
Daniel Coffman, WDFW	Alice Rubin, Recreation and Conservation Office (RCO)
David Collins, WDFW	Christy Rains, RCO
Timothy Young, WDFW	Kate Galambos, Facilitation Support
Joel Ingram, WDFW	Joy Juelson, Facilitation Support
Josh Lambert, RCO	Christy Rains, RCO
Elizabeth Butler, RCO	John Foltz, RCO

Others observing:

Cheryl Baumann	Daniel Howe	Sara Brooke Benjamin
Frank Reinart	Jessica Helsley	K. Yuki Reiss
Brett Swift	Tracy Gilson	Jeremy Deemer
Maya Garber-Yonts	Evan Lewis	Blaine Chesterfield
Julie Grobelny	Mark Crowley	Frana Milan
Collen Swafford	Angela Sims	Jeanne Cushman