



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

**Date:** October 19, 2021

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

**Location:** Virtual Meeting

**Summary: Formal Actions/Decisions**

Item	Formal Action
Meeting notes from September, 2021	Approved
Finalization of the Project Cost Increase Request COA	Approved
Create a Cost Increase Subcommittee with the current members.	Approved

**Summary: Follow-up Actions**

Item	Follow-up
Board engagement with the National Culvert Removal, Replacement, and Restoration Grant Program.	The Board will continue to discuss potential opportunities for coordination with partners on the proposed grant program.
FBRB project status update.	Matt Curtis, WDFW, and the Technical Review Team (TRT) will provide a project status update on all funded projects at the November Board meeting.

**Welcome/Introductions/Agenda Review:**

Facilitator, Joy Juelson, called the meeting to order at 9:00 a.m. Alex Sweetser facilitated introductions with FBRB members and alternates.. A quorum was present.

**Public Comment:** *Earlier this year, there was a FEMA rule change that requires WSDOT and others to engage in additional coordination with local jurisdictions/FEMA on all fish passage projects to address flooding concerns. Can you provide any additional information?*

- **Response to comment:** Matt Curtis, WDFW responded that projects that occur in FEMA mapped floodplains will have to work through their local jurisdiction Nation Flood Insurance Program rules to ensure there is “no net rise” of flood waters as a result of the project. This does not prevent projects from working through the Fish Habitat Enhancement Project (FHEP) process with the State or allow local jurisdictions to require additional permitting requirements if the project is going through the FHEP process. In other words, these two permitting processes can advance simultaneously.

**Old Business:** The meeting notes for the FBRB September 2021 meeting were approved by the Board.

## **General Updates:**

### ***Annual Culvert Case Injunction Meeting on Nov. 2, 2021***

Chair Tom Jameson, WDFW, announced that the Annual Culvert Case Injunction Meeting will be held on Nov. 2<sup>nd</sup> and is being hosted by the Northwest Indian Fisheries Commission (NWIFC). He explained this meet is held each year between state agencies and the Western Treaty Tribes to provide a briefing on projects completed, projects that need to be started or completed, any newly discovered fish passage barriers, and funding available from the state legislature. Pending additional meeting topics include: Washington State rulemaking changes or the National Culvert Removal, Replacement, and Restoration Grant Program. A calendar invitation with a Webex link will be distributed soon.

### ***FBRB Project Update: Nelson Dam, Yakima***

Chair Jameson explained the Nelson Dam removal project is the number one ranked project on the 21-23 FBRB project list and is the largest grant the Board has even granted at just over \$4.1 million. An additional \$8 million of matching funds were provided by City of Yakima and other grants. The dam is being removed because its fish ladder is inoperable most of the year due to low water levels. Dam removal started on Monday, October 18<sup>th</sup> and is expected to open 12 miles of habitat once the project is complete.

## **Criteria Presentation on National Culvert Removal, Replacement, and Restoration Grant Program**

Margen Carlson and Meagan West, WDFW, introduced themselves and provided a presentation on the proposed National Culvert Removal, Replacement, and Restoration Grant Program. They explained the new grant program is a component of the federal infrastructure bill that the Washington Delegation played an active role in developing and advancing through Congress with the intent of bringing more federal money to Washington to address fish passage issues. They also encouraged the Board to reach out to the Washington congressional delegation to express their support for the bill because the bill has not yet passed.

Meagan explained this proposal would establish a competitive grant program for eligible entities, which are the state government, local governments, and Tribes. Prioritization would go to projects that benefit listed species of anadromous fish, including those that benefit endangered southern resident orcas, species at risk of being listed, and projects opening over 200m of natural habitat. She explained there is an opportunity to better define and craft the criteria for applications through conversations with the US Fish and Wildlife Service Director.

Margen explained grant considerations can build off Washington's strong approach to fish passage corrections. More discussions with the Board are needed to understand how they will engage in this new grant program, but one possibility is to fund the alternate projects on the Board's list that have not yet been funded.

### ***Board Questions and Discussion:***

- In response to a question about establishing a cohesive approach to developing and implementing the grant program in coordination with Tribes, local governments, and state governments, Margen explained a mapping layer could be developed to aid federal granters to visualize the proximity and relation of projects applying to the program. Additionally, there could be an opportunity for

the Board to spread awareness of the grant program and provide technical assistance to grant programs.

- In response to a question, Meagan and Margen explained there is a possibility for a state match and the goal of the program will be to get the needed funding to projects.
- Meagan and Margen clarified the intent of this grant program will be to provide capital funds to projects. Chair Jameson noted the legislature listed all of the unfunded projects as alternates on the FBRB 21-23 list. In total, there are 66 unfunded projects to remove 94 fish passage barriers, which would open 104.41 miles of ancestral salmonid habitat. The unfunded alternatives total nearly \$39.28 million and are ideal recipients of the new grant's funds. He also noted the legislature has not found a dedicated source of funding for the injunction and noted there may be discussion at annual injunction meeting in November. on how this potential grant funding program may interplay with the state funding for the injunction.
- Several Board members expressed an interest in continuing discussions of the how the Board will engage and support the proposed grant program if the bill is passed. They noted there is an opportunity to learn from the Board's funding process and apply it to the grant program.

*Path Forward:* Continue discussing how the Board will engage and aid in the implementation of the proposed National Culvert Removal, Replacement, and Restoration Grant Program.

### **Present and Finalize Revised Project Cost Increase Request Course of Action (COA)**

The facilitation team provided an overview of the work done by the Board's Cost Increase Subgroup to develop a cost increase request COA when funds are limited. They detailed how the Board's feedback was incorporated into the document. Chair Jameson explained the purpose of the subgroup was to have preemptive conversations about a path forward in case a cost increase request exceeds available funds. The COA will be added into the grant manual. He clarified the subcommittee will not be responsible for making decisions on cost increase requests. Instead, they will assess large cost increase requests and put forth a recommendation to the Board for a decision.

#### *Board Questions and Discussion:*

- Casey Baldwin, Confederated Tribes of the Colville Reservation, inquired if there is a need to establish a separate Cost Increase Subcommittee and expressed concern that the Board may miss out on important discussions.
  - John Foltz, SRSRB, explained that a separate subcommittee would create a space for deeper discussion than cannot be done at a Board meeting.
  - Chair Jameson noted there are around 80 FBRB projects in process and having a subcommittee that meets on an as-needed-basis creates a structure to address issues as projects grow.
- Erik Neatherlin, GSRO, noted there have been several cost increase requests with high price tags coming to the Board and having a subcommittee focused on technical details would allow the Board to focus more on policy topics.
- Several board members agreed there will be a need to discuss how the Board utilizes its time at monthly meetings. They noted the subcommittee can go forward and it can be reconsidered if it is not working.

**Decision:** A motion was made to approve Project Cost Increase Request COA. The motion was approved.

**Decision:** A motion was made to approve Cost Increase Subcommittee with the current members. The motion was approved.

### **Discuss Subcommittee Membership and Engagement**

The facilitation team reviewed past decisions from the Board to convene a Proviso and a Policy subcommittee. The facilitation team surveyed the Board and updated the subcommittee membership list (see meeting handouts). The Board determined the Policy Subcommittee will be a pop-up group and meet if a policy topic is identified for discussion. Chair Jameson noted WDFW is still in the process of hiring a strategist or finding a consultant for the Statewide Strategy. Until this position is filled, the Proviso Subcommittee will be dormant. Additionally, the Cost Increase Subcommittee will likely be dormant until project construction resumes in spring.

#### *Board Questions and Discussion:*

- The Board confirmed subcommittees can be staffed by Board alternates and encouraged their engagement when needed.
- Chair Jameson noted the first topic for the Policy Subcommittee will likely be the new federal culvert grant program if the federal infrastructure bill is passed.

### **Review of Upcoming Solicitation and Project Evaluation Scoring Criteria Follow-up**

#### ***Project Evaluation Scoring Criteria Follow-up***

Matt Curtis, WDFW, shared the feedback from the Board in September was incorporated into the Project Evaluation Scoring Criteria and the final product will be available in Manual 22. He noted there was an outstanding question from the Board regarding how project proposals are assessed for technical issues to ensure the project is meeting FBRB standards before being funded or starting construction. Matt explained the Technical Review Team (TRT) is implementing changes this year to address this issue. First, they will provide basic technical assistance to aid or amend project designs and second, they will require sponsors of new projects without designs to check-in with TRT staff to go through an analysis form. For projects closer to implementation, the project sponsor needs to provide designs for the TRT to review in advance of project scoring to stop design issues before a project is assess for funding.

#### ***Kristoferson Creek Project Update***

Matt Curtis explained the TRT, County biologists, and Tribal biologists do not believe the current designs for this project can be approved and the project will not advance to construction without changes. However, they have faced push back from the designer, which is not uncommon. This is an example of an issue the TRT aims to resolve with the new review process. Matt recommended to the Board and public attendees to work with Board members and the TRT to review project designs before submitting for approval so that design issues can be addressed and amended before the project advances for scoring.

#### *Board Questions and Discussion:*

- John Foltz expressed support for the additional advanced check-in and noted there may be a limit of TRT staff time to provide technical assistance. He recommended further discussion on how design issues that are not addressed in the scoring criteria are flagged. Matt explained the goal is

to identify these issues during the technical review and offered to provide more details at a future meeting. Additionally, he encouraged applicants to reach out to the TRT for technical assistance.

*Path Forward:* Matt recommended having a project update at the next FBRB meeting in November to have an update on the status of all funded projects.

*FBRB Applicant Workshop on October 27, 2021*

Matt Curtis explained the purpose of this meeting will be to highlight changes to the grant program and application review process. Applications for the next grant round will can be submitted starting on November 1, 2021 and will be accepted through January 13, 2022. Applications will now go through PRISM, which can help avoid a potential system crash and automatically score some questions to free up time. Sponsors will have between January 14, 2022 to May 2, 2022 to update the grant application with additional details or better answer application questions. The prioritized list is expected to be finished in August 2022 and will be presented at the Board meeting. See the following links for additional information:

- Grant Application Schedule: [Brian Abbott Fish Barrier Removal Board - RCO \(wa.gov\)](#)
- Applicant Workshop News Announcement: [State seeks grant proposals to remove barriers to fish migration; informational webinar Oct. 27 | Washington Department of Fish & Wildlife](#)

**Discuss Upcoming Opportunities for Engagement**

- Chair Jameson noted the legislative session will begin soon and will be a topic of discussion at a future Board meeting.

**Adjourn:** The meeting adjourned early at approximately 11:45 a.m.

**Next Meeting: Tuesday, November 16, 2021 – online meeting**

**ATTENDANCE**

**Board Members/Alternates:**

Axel Swanson, Washington State Association of Counties	Joe Shramek, Department of Natural Resources (DNR)
Carl Schroeder, Association of Washington Cities	John Foltz, Council of Regions, Snake River Salmon Recovery Board (SRSRB)
Casey Baldwin, Confederated Tribes of the Colville Reservation	Matt Curtis, Washington Department of Fish and Wildlife (WDFW)
Erik Neatherlin, Governor’s Salmon Recovery Office (GSRO)	Chair Thomas Jameson, WDFW
Jeannie Abbott, GSRO	Tim Resseguie, Yakama Indian Nation

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

Adam Fleming, WDFW	Laura Till, WDFW
Alison Hart, WDFW	Margen Carlson, WDFW
Casey Costello, WDFW	Meagan West, WDFW
Christy Rains, WDFW	Alice Rubin, Recreation and Conservation Office (RCO)

Gabrielle Stilwater, WDFW	Joy Juelson, Facilitator
Gina Piazza, WDFW	Alex Sweetser, Facilitator
Julie Groebelny, WDFW	

**Others observing:**

Andrea Wong	Don Gourlie, Puget Sound Partnership	Kevin Long, North Olympic Salmon Coalition
Betsy Lyons	Elena Fernandez	Kristen Currents, MacKay Sposito
Bryr Harris	Eric Doyle	Paul Schlenger
Cheryl Baumann, North Olympic Lead Entity	Erin Cooper	Sarah Walker
Christina Kereki	James Blankenbeckler	Steve Helvey
Conrad Guadagni	Jennifer Taylor	Tracy Gilson
Daniel Howe	Jessica Helsley	
Dawn Nolan	Jon Fulton	