

Fish Passage Barrier Removal Board – Meeting Notes

Date: February 13th, 2018

Place: Association of Washington Cities, Olympia, Washington

Summary: Agenda items with formal action

Item	Formal Action
Meeting Notes - January	Approved
Revised bylaws	Approved
2019-2021 Coord. Pathway scoring criteria	Approved

Summary: Follow-up actions

Item	Follow-up
Sequencing of projects, especially in the town of Riverside	Discuss at an upcoming meeting
FBRB and SRFB technical review potential differences	If differences are noted, discuss at an upcoming meeting
What did the FBRB decide about signage for projects (discussed spring 2017)?	Neil will review notes and describe

Board Members/Alternates Present:

Tom Jameson, Chair, WDFW	Steve Martin, GSRO (on phone)
Paul Wagner, DOT	Dave Caudill, RCO - GSRO
Jon Brand, WSAC	Gary Rowe, WSAC
Justin Zweifel, WDFW	PSP person
Steve Manlow, Council of Regions	Stacy Vynne McKinstry, PSP (alternate for COR) – on phone

Others present at meeting:

Dave Collins, WDFW	Dan Barrett, WDFW
Cade Roler, WDFW	Steve Miller, Trout Unlimited
Gina Piazza, WDFW	Ken Cousins, Earth Economics
Neil Aaland, Facilitator	Larry Dominguez, KPFF
Keith Wolf, Stell Environmental	Christy Rains, WDFW
Rich Nevitt	Alison Hart, WDFW
Steve Helvey, GeoEngineers	Josh Lambert, RCO

Welcome/Introductions/Agenda Review

Meeting start at 9:00. Tom Jameson noted that Dave Caudill and Josh Lambert from RCO will be the grant managers for our programs. Paul Wagner will be here shortly; Gary has to leave at 1:30.

Public Comments

Steve Miller, Trout Unlimited, really supports this work and is here to help if need be.

Old Business

Gary made a motion to approve the minutes. Steve Manlow seconded. Unanimously approved and can now be posted. The bylaws were discussed. Gary moved to approve, Steve Manlow seconded. Approved unanimously.

New Business

House Bill 2902: Tom reviewed this bill as it may affect the FBRB and grant programs. Rep. Wilcox sponsored this bill. It would provide \$50 million per year of state general fund. This would include wrapping in the FFFPP program into the FBRB. There is a backlog of 977 projects in FFFPP. Rough estimate of the backlog is \$100 million. The bill is in House appropriations and still alive. FY 2019 would be the first year of funding. Hirst fix bill also has some potential funding. GF-S fund source does not carry over biennial line as does capital budget source. Gary notes that this has an uphill battle it was also noted that there appears to be some funding related to fish in the carbon tax proposal.

Culvert Injunction: U.S. Supreme Court will be hearing this appeal. State AGO is still working with treaty tribes on a settlement. Quarterly, state co-defendant agencies meet with tribes to discuss implementation; they have postponed the February meeting. Tom noted that the number of estimated barriers, 40,000, was information estimated over 20 years ago. WDFW is updating that estimate, and Ryan Getchell with WDFW is working on that.

Draft scoring criteria: Justin reviewed this topic. The RFP for new projects was published on February 1. He is starting to get phone calls. There is a two-step process. First, a draft application is due by March 29. Then, some projects will be invited to complete a full application. This is the criteria for the first phase.

Paul said DOT barriers sometimes require re-grading, which can create a new barrier. May be an opportunity; is there a way to have those newly created barriers as eligible? Discussion points included:

Jon: are those eligible for the coordinated pathway?

Gary: Are there other circumstances that should be considered?

Justin: if the new barrier submitted next round, it would probably score well; difficult to consider in the same round.

Steve wonders if we are asking questions that would get at this.

Gary suggested to not open yet in this way but see how this round plays out.

The specific portions of the criteria were reviewed. Downstream barriers were not scored in the last round, but the Board was interested in this. Decided to keep this and see how it plays out. Linear gain is to the next partial barrier. Same as last round. Cade thinks this encourages people to package projects. Add this to the language. Number of salmon/steelhead species affected by a barrier was worth 4 points, changed it to 6. Discussion points included whether it undervalues or not certain species, whether the points should be fewer. Justin noted that ESA status will come into consideration at the next screening. The decision was to leave points as proposed, at 6, but keep in mind whether this is the right value. Habitat value is a new criterion. Some members thought this was subjective and wondered whether habitat quality is a second-tier item. Decision is to leave as proposed for now. Project readiness is the same as last but different point values. This weights higher for construction projects. Gary is thinking about the process, timing is difficult. Dave Caudill likes the questions. The scoring is okay for this round. Anticipated costs came from a similar approach Cade used for a different grant program (Chehalis). There was discussion about the specific points. Decision was to bring this to ten points total and use the average scores. Assign 2, 4, and 4 points on the three bullet points. Design approach is also borrowed from the Chehalis grant program. Looking for an approach to consider climate change. Casey wondered if this adds to costs; and if looking at climate change is a requirement to get a permit [No]. Casey and Dave both had some concerns about this item making projects bigger, which we have heard the legislature express reservations about. Members thought this should be left in, but no score assigned.

Timing is that scoring will occur in April and May, and the phase 2 criteria will come to Board in May for consideration. It was decided to bring the proposed criteria for phase 2 to the April meeting, and the list of projects with a proposal at the May 15 meeting.

Paul looked at correcting the lowest barrier first (from the enabling legislation) and wonders whether the Board is adequately considering that. He thinks we need to reduce the number of applications, need a good estimate. He can live with the proposal as discussed for now.

Casey moved to approve with changes to 7 and 8 scoring as discussed; Jon seconded. The motion was approved 6-1.

Review capital budget and grant program: Justin started by taking the budget as adopted and assigning each project from the project list the dollar amount in the binder of projects. This leaves \$3 million available after funding the recommended projects. RCO has a flat rate administrative fee of 4.12%, which is \$813,000 for this biennium (4.12% of the 19.7M\$ appropriated to the Board in the 2017-19 Capital Budget); there is the facilitation contract for \$68,000 for the biennium; and \$798,000 in costs for WDFW staff. That is a total of \$18.4 million, with a balance of \$1.3 left over. This could be reserved for cost overruns, or funding alternates. Discussion points include:

- Tom noted we don't have to make decisions today on the \$1.3 million
- Gary thinks we should hold it this time and see how things go
- Cade noted that one funded project has been removed from the list
- Casey thinks WDFW should work with the 6 alternates to determine cost of designs and be ready to use a portion of the anticipated surplus to make headway on the alternates
- Tom noted that 3 out of the 12 projects have designs; the rest will need those first
- Gary asked that, in May (if WDFW is ready), we review all the projects on the current list

The Board asked if there is flexibility to move project funding around and alter the order in which projects are implemented in the watershed pathway based on feasibility and project readiness. Tom noted that in the Okanogan watershed, the city of Riverside, Johnson creek has four crossings in the town. Spring chinook use it. The first barrier is a 33% blockage barrier; this is project #9 of the funded list. 1 block north is another 33% blockage due to slope; then a third barrier is a 33% slope barrier. The question is how to sequence projects within a small geographic scope/small town. Locals are not sure it is feasible to implement 2 projects in the same year due to traffic and other feasibility concerns. The 3rd barrier may be ready to go before the 2nd barrier, so as long as they are committed to both does the order matter? Tom is in favor of taking human considerations into account, thinking of the disruption to the town. Perhaps consider funding the second project (in the list of alternates) as well as this one for that reason. We can discuss at an upcoming meeting.

LUNCH BREAK

The Board re-convened. The next agenda topic was:

Follow-up actions from May meeting notes: Inviting other entities to consider joining. Three were specifically mentioned. Tom thinks WFPA might be interested if FFFPP is rolled into the FBRB responsibilities, otherwise might not be appropriate. Neil noted he had talked with Karen Terwilliger, and they were having some internal conversations about this. She will get back to him after those conversations have occurred. CRAB and TIB are likely not interested. PSP is probably not needed because Stacy Vynne McKinstry from the PSP is now an alternate on the Board. Gary wondered about

RFEGs having a seat; there were concerns about a potential conflict of interest since they can receive grants for projects.

Changing appropriation to lump sum instead of project list: Tom is not sure why Nona Snell of OFM included this in the appropriation; he thinks with the funding going to RCO there may be some flexibility.

FBRB and SRFB technical review: Follow-up of a discussion whether the FBRB could use the SRFB technical review team. Each agency program has a different purpose, so might not be a good fit. Flag this for future discussion; if differences do come up between the two reviews we need to understand.

PSP and HCCC: Discussion about the role that the PSP did not serve in the first grant round (as a coordinator of the Puget Sound watersheds), and this ended up with the FBRB having to make the watershed decisions. Does the FBRB want to pursue next time having a stronger role? The Council of Regions represents the interests of regional entities, including the HCCC and PSP. Hood Canal is its own region.

Additional discussion item: Casey asked about the elimination of the match certification credit agreed to by the Board in January. Discussion about the reasons for that decision; wanting applicants to have some funding in the project. Casey pointed out that the owners of the barriers (DOT, cities, counties, private individuals) will not be writing checks for the funding match, it will have to come out of other salmon recovery money (such as SRFB or BPA) which makes it more difficult for project implementers to juggle all the processes to show match. In some cases it may add a year or more to implementation. Other board members thought the perception that the FBRB money was being matched and going further was worth it, and was unavoidable because the legislation called for match. Casey thought that the FBRBs original decision regarding using other barriers fixed in the watershed by other funding sources as the match met the spirit and intent of the legislation without adding burden to the implementers.

Gary asked about participating in groundbreaking ceremonies for the first project to begin work. Neil will review the decision made about signage from last spring.

The meeting adjourned at 1:30 pm.

Next meeting: Tuesday, March 20, 2018 – @ Association of Washington Cities