



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

Tuesday, November 21, 2023: 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#](tel:+1355522077)

Phone Conference ID: 355 522 077#

Purpose of Meeting:	<i>The intent of this monthly Board meeting is to provide general updates around fish barrier removal topics, decide on how to use de-obligated funds, discuss the development of a PROTECT RFP, present on the Nelson Dam removal project, and share upcoming opportunities for engagement.</i>	
Time	Agenda Topic	Materials
9:00-9:30 a.m. (30 mins)	Welcome and Introductions – <i>Joy Juelson, Facilitator, Triangle Associates; and Chair Tom Jameson, WDFW</i> <ul style="list-style-type: none"> ▪ Board and staff introductions ▪ Review agenda and meeting purpose ▪ Public Comments: Submit public comments via e-mail to FBRB@dfw.wa.gov for inclusion in the record ▪ Review September and October summaries <ul style="list-style-type: none"> ○ Decision: Approval of September and October 2023 meeting summaries 	Agenda September 2023 Meeting Summary October 2023 Meeting Summary
9:30-9:50 a.m. (20 mins)	General Updates <ul style="list-style-type: none"> ▪ Fish Passage Strategy Updates – <i>Jane Atha, WDFW</i> ▪ Update on WDFW Fish Passage Rulemaking – <i>Gabrielle Stilwater, WDFW</i> ▪ NOAA Grant Application Update – <i>Chair Jameson</i> ▪ Culvert Case Injunction Meeting on Dec. 7 – <i>Chair Jameson</i> ▪ Additional Topics? 	Fish Passage Rulemaking Webpage
9:50-10:20 a.m. (30 mins)	Funding Path Forward for De-obligated Funds – <i>Christy Rains, WDFW and John Foltz, RCO</i> <ul style="list-style-type: none"> ▪ Update on projects that are seeking or successfully obtained federal funding ▪ Review Cost Increase Analysis ▪ Board discusses how to handle de-obligated FBRB funds <ul style="list-style-type: none"> ○ Board Decision: Use de-obligated funds for 1) cost increases, or 2) move down the 2023-2025 Project List 	FBRB Cost Increase Analysis PROTECT Project Spreadsheet NOAA Grant FBRB Bundle
10:20-10:35 a.m. (15 mins)	Break	

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Time	Agenda Topic	Materials
10:35-10:55 a.m. (20 mins)	Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Request for Proposal (RFP) – Christy Rains, and Chair Jameson <ul style="list-style-type: none"> ▪ Discussion and Board feedback on draft proposed PROTECT Request for Proposals (RFP) 	Draft PROTECT RFP FBRB Scoring Criteria
10:55-11:15 a.m. (20 mins)	Project Spotlight: Nelson Dam Removal Completion – John Foltz, RCO and Casey Costello, WDFW <ul style="list-style-type: none"> ▪ Presentation showcasing Completion of Nelson Dam Removal ▪ Board Q&A 	Presentation Slides
11:15-11:25 a.m. (10 mins)	RCW 70A.65.305 Tribal Consultation – Chair Jameson <ul style="list-style-type: none"> ▪ Updated Guidance from Governor’s Office 	RCW 70A.65.305
11:25-11:30 a.m. (5 mins)	Project and Policy Issue / Opportunities – Board Members <ul style="list-style-type: none"> ▪ None anticipated ▪ Any additional topics or updates? 	
11:30-11:50 a.m. (20 mins)	Discuss Upcoming Opportunities for Engagement – Triangle Associates & Board Members <ul style="list-style-type: none"> ▪ Brief overview of September tour – Joel Ingram, WDFW ▪ Input from Board members ▪ Additional items upon request 	
11:50-12:00 p.m. (10 mins)	Action Items & Review – Triangle Associates <ul style="list-style-type: none"> ▪ Review action items / paths forward ▪ Plan for future meetings: <ul style="list-style-type: none"> ○ <i>December meeting – Expect to cancel</i> ○ January 16, 2023 	
12:00 p.m.	Adjourn	

FBRB Historical Cost Increase Data

As of October 25th, 2023

Calculated by Tom Jameson, WDFW, FBRB Chair

2017-2019 Budget: \$18,934,000.00

Cost increases to date from this cohort: \$2,582,810.00

Average total cost increase: 13.64%

2019-2021 Budget: \$24,730,000.00

Cost increases to date from this cohort: \$1,843,398.00

Average total cost increase: 7.45%

2021-2023 Budget: \$25,014,000.00

Cost increases to date from this cohort: \$982,922.00

Average total cost increase: 3.92%

2023-2025 Budget: \$48,400,000.00

Cost increases to date from this cohort: None to date

Average total cost increase:

2023-2025 PROTECT Funding 10 Projects

Project Sponsors FBRB Request November 2021: \$20,090,640.00

Projects Sponsors PROTECT Request January 2023: \$24,791,834.00

Average total cost increase: 23.4%

2023-2025 FBRB NOAA Grant Request 8 Projects

Project Sponsors FBRB Request November 2021: \$9,693,113.00

Projects Sponsors NOAA Grant October 2023: \$10,987,366.00

Average total cost increase: 13.35%

Rank	PRISM No.	Scope*	Stream Name	County	Project Sponsor	Legislative District	Original FBRB		PROTECT request	Type	Local Programs Authorized	Local Programs Comments	
							Request	FBRB Match					
2	21-1415	Restoration	Sexton Cr	Snohomish	Snohomish Co Surface Water	44	\$ 1,038,190	\$ 183,216		County			
6	21-1500	Restoration	Delameter Cr	Cowlitz	Cowlitz County of	19	\$ 1,657,500	\$ 292,500		County			
7	21-1422	Restoration	Trib to Harper Inlet	Kitsap	Kitsap County of	26	\$ 4,964,111	\$ 876,020	\$ 5,840,000	County	\$ 100,000	9/2023 Authorized Design	
8	21-1420	Restoration	Squalicum Cr	Whatcom	Bellingham City of	42	\$ 4,132,623	\$ 729,287		City			
9	21-1398	Restoration	Trib to MF Newaukum R	Lewis	Lewis County Public Works	20	\$ 1,067,870	\$ 266,968		County			
17	21-1458	Restoration	Fisher Cr (2 barriers)	Skagit	Skagit County Public Works	39	\$ 3,980,984	\$ 705,350	\$ 5,348,750	County			
20	21-1412	Restoration	Eagle Cr (4 barriers)	Chelan	Chelan Co Natural Resource	12	\$ 1,211,865	\$ 213,859		County			
23	21-1427	Restoration	George Davis Cr (3 barriers)	King	Sammamish City of	45	\$ 1,300,000	\$ 230,000		City			
25	21-1409	Restoration	Naylor Cr	Jefferson	Jefferson Co Public Works	24	\$ 1,591,320	\$ 280,822	\$ 1,913,000	County	\$ 1,913,000	9/2023 Authorized Construction	
27	21-1400	Restoration	Lost Cr	Lewis	Lewis County Public Works	20	\$ 1,045,798	\$ 261,450		County			
28	21-1418	Restoration	Padden Cr	Whatcom	Bellingham City of	40	\$ 1,335,973	\$ 235,760		City			
29	21-1404	Restoration	Padden Cr	Whatcom	Bellingham City of	40	\$ 4,103,719	\$ 724,186		City			
30	21-1396	Restoration	Berwick Cr (Logan Hill)	Lewis	Lewis County Public Works	20	\$ 1,244,662	\$ 311,166	\$ 1,430,000	County	\$ 1,430,000	9/2023 Authorized Construction	
31	21-1513	Restoration	Taylor Cr	King	Seattle Public Utilities	37	\$ 1,000,000	\$ 400,000		City			
33	21-1419	Restoration	Padden Cr	Whatcom	Bellingham City of	40	\$ 1,615,867	\$ 285,153		City			
34	21-1399	Restoration	Trib to Lucas Cr	Lewis	Lewis County Public Works	20	\$ 1,140,358	\$ 285,090		County			
55	21-1435	Restoration	Barrel Springs	Skagit	Skagit County Public Works	40	\$ 1,095,803	\$ 327,006	\$ 1,238,084	County			
63	21-1397	Restoration	Scammon Cr	Lewis	Lewis County Public Works	19	\$ 908,360	\$ 227,090	\$ 1,046,000	County		original request \$1M	
64	21-1395	Restoration	Berwick Cr (Lebree)	Lewis	Lewis County Public Works	19	\$ 1,102,379	\$ 275,595	\$ 1,168,000	County			
67	21-1506	Restoration	Erick Cr	Cowlitz	Cowlitz County of	19	\$ 1,747,600	\$ 308,400	\$ 2,408,000	County	\$ 410,000	4/2023 Authorized Design	
69	21-1514	Restoration	Percival Cr	Thurston	Tumwater City of	22	\$ 1,459,450	\$ 257,550	\$ 2,000,000	County	\$ 100,000	8/2023 Authorized Right of Way	
70	21-1511	Restoration	Derby Canyon	Chelan	Chelan Co Natural Resource	12	\$ 1,813,050	\$ 319,950		County			
76	21-1498	Restoration	Ruby Cr	Kitsap	Port Orchard City of	26	\$ 1,852,842	\$ 326,973		City			
87	21-1557	Restoration	Anderson Cr (Newberry Hill)	Kitsap	Kitsap County Public Works	35	\$ 1,995,971	\$ 354,230	\$ 2,400,000	County	\$ 3,020,000	9/2023 Authorized Construction	
92	21-1540	Restoration	Gee Cr	Clark	Ridgefield City of	20	\$ 1,423,000	\$ 1,475,650		City			
101	21-1558	Restoration	Trib to Swamp Cr	King	Kenmore City of	1	\$ 1,094,306	\$ 291,200		City			
102	21-1394	Restoration	Little Soos Cr (2 barriers)	King	Covington City of	47	\$ 2,395,920	\$ 422,810		City			
									\$ 24,791,834		\$ 6,973,000		
							total	\$ 48,411,161					

2023 NOAA FBRB bundle parameters:

- Unfunded FBRB 23-25 list (ranked >35)
- Restoration projects
- \$700k and greater
- Didn't submit for PROTECT

Rank	PRISM#	Project Name	FBRB Request	NOAA Project request	Sponsor	County	Ownership
55	21-1435	Barrel Springs and Dry Creek Restoration	\$1,095,803	\$1,095,803	Skagit County Public Works	Skagit	Private
56	21-1459	Berwick Crk at Bishop Fish Passage Constr - FBRB	\$1,306,213	\$1,340,187	Chehalis Port of	Lewis	County
62	21-1474	Coleman Creek at SM 4.7	\$733,899	\$764,020	Kittitas Co Conservation Dist	Kittitas	Private
70	21-1511	Derby Creek BNSF Crossing	\$1,813,050	\$2,092,050	Chelan Co Natural Resource	Chelan	Private
99	21-1553	Derby Canyon Orchards	\$374,000	\$924,500	Chelan Co Natural Resource	Chelan	Private
76	21-1498	Ruby Creek Culvert at Sidney Rd Port Orchard	\$1,852,842	\$2,253,000	Port Orchard City of	Kitsap	City
92	21-1540	Ridgefield - Gee Creek Culvert Replacement	\$1,423,000	\$1,423,000	Ridgefield City of	Clark	City
101	21-1558	kenmore 192 trib culvert	\$1,094,306	\$1,094,306	Kenmore City of	King	City
			\$9,693,113	\$10,987,366			

Total NOAA request = \$11,771,408

- NOAA FBRB Project Request = \$10,987,366
- WDFW and RCO administrative costs
- Match contributions were maintained or increased for all projects and were put forth as “Leverage” for this NOAA opportunity = \$3,276,100

PROTECT Fiscal Year 2024 FBRB Request for Proposals:

On September 15, 2022, the Washington State Legislature's Joint Transportation Committee (JTC) decided to allocate \$75m of federal-aid highway funding to local fish passage projects over four years. The Brian Abbott Fish Barrier Removal Board (FBRB) is tasked with facilitating the project selection process and working with Washington Department of Transportation's (WSDOT) Local Programs to ensure that project selection criteria is consistent with the federal requirements. FY23 was the first year of this funding opportunity and projects were derived from the FBRB's 2023-25 ranked and approved project list. This current Request for Proposals (RFP) is the next step to obligating the remainder of the available funding (~\$50M). The JTC letter is attached as a reference.

There are some advantages to applying for the PROTECT funding. The PROTECT funding is on-hand and ready to obligate now, as soon as requirements are met. The match requirement for this funding is 20% but toll credits can cover the match, resulting in no match needed by the local government sponsor. This funding source could likely entertain project cost increases during the life of the project. If PROTECT funding is obligated to your project, you will work directly with WSDOT's Local Programs for project coordination and reimbursement.

PROTECT Program Purpose

The Bipartisan Infrastructure Law (BIL) establishes the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Formula Program to help make surface transportation more resilient to natural hazards, including climate change, sea level rise, flooding, extreme weather events, and other natural disasters through support of planning activities, resilience improvements, community resilience and evacuation routes, and at-risk coastal infrastructure.

ELIGIBILITY:

All proposed projects must meet the following eligibility criteria of the FBRB, see [Manual 22](#) for details:

- The goal of the FBRB is to identify and expedite the removal of barriers to anadromous fish that are the result of state and local roads and highways.
- All projects must correct a fish passage barrier on a salmon-bearing (anadromous) stream and be a barrier to fish as defined by WDFW's [2019 Fish Passage Barrier and Surface Water Diversion Screening Assessment and Prioritization Manual](#). Partial or total fish passage barriers are both eligible; however, total barriers will receive a higher score.
- Projects must meet the required fish passage design criteria in Washington Administrative Code 220-660, the recommendations of the Water Crossing Design Guidelines (2013), and the expectations of the FBRB grant program.
- If there is a total barrier (0% passable) downstream of the project, there must be a documented commitment provided for it to be corrected within five years.
- There must be documented current or historic anadromous species use at the project location.

In addition, in order to be eligible for PROTECT funding the following eligibility criteria must be met or significant progress made towards the following requirements by September 2024:

- a. Certified sponsor, in this case a city or a county government;
- b. Crossing must be city- or county-owned (privately owned crossings are ineligible);
- c. Have completed or will complete the National Environmental Policy Act (NEPA) process;
- d. Right-Of-Way (ROW) certification prior to funding obligation; and
- e. Have a construction project with funding request of \$2M or greater.

TO APPLY:

Please provide the following:

For the Sponsors who are Interested in Pursuing PROTECT

- If you plan to apply for this funding, please quickly send a brief email indicating your intent to apply to the FBRB email (FBRB@dfw.wa.gov) by **Date TBD**, prior to final proposal submittal to help support planning.
 - **TIMELINE**
- Sponsor will their final proposal to the FBRB email (FBRB@dfw.wa.gov), NLT **Date TBD**.
- Final proposal should include the following:
 - Title and brief scope of the project
 - Confirmation the project(s) is/are federally eligible
 - The project’s construction timeline
 - Date the sponsor anticipates they will be ready to have the funding obligated to their project (NEPA Complete & Right of Way Certified)
 - Include project sponsor point of contact
 - Complete the evaluation questions below
 - Include completed table below - Project Cost, Amount, and Requested Funding

Phase	Cost of entire phase	Amount FHWA funds being requested
Preliminary Engineering (PE)	\$	\$
Right-of-Way (RW)	\$	\$
Construction (includes construction administration) (CN)	\$	\$
Total	\$	\$

Round all numbers to the nearest \$1,000.

Project Evaluation Questions:

1. Is the site currently listed as a barrier in the [Fish Passage map app](#) (Fish Passage and Diversion Screening Inventory database) and what is the WDFW Site ID?

- a. What is the barrier status, as indicated in the [Fish Passage map app](#) (Fish Passage and Diversion Screening Inventory database)? If the barrier status is currently listed as not a barrier (100% passable) or unknown, this project is not eligible for this current opportunity.
- b. What is the passability of the barrier site, as indicated in the [Fish Passage map app](#) (Fish Passage and Diversion Screening Inventory database)?
- c. What is the WDFW Fish Barrier database Site ID?

10 points possible

- 0% passability 10 points
- 33% passability 7 points
- 67% and unknown passability 3 points

2. Using the online WDFW [Fish Passage map app](#) (Fish Passage and Diversion Screening Inventory database), field confirmations using the barrier assessment protocols found in the [WDFW's 2019 Fish Passage Inventory, Assessment, and Prioritization Manual](#), and other methods, have you confirmed there are no 0% passable culverts located downstream? How many partial barriers are located downstream?
 - a. Are there any 0% passable culverts located downstream?
 - b. How many partial barriers are located downstream?

10 points possible

- No downstream barriers 10 points
- Single downstream partial barrier (67% or 33% passability) 5 points
- More than 1 downstream partial barrier (67% or 33% passability) 0 points

3. How many miles of anadromous salmonid habitat will be made accessible upstream of the targeted fish passage barrier?

15 points possible (Calculated as upstream miles to first barrier (partial or full))

- 0.00-0.24 miles 1 point
- 0.25-0.49 miles 2 points
- 0.50-0.74 miles 3 points
- 0.75-0.99 miles 4 points
- 1.00-1.24 miles 5 points
- 1.24-1.49 miles 6 points
- 1.50-1.74 miles 7 points
- 1.74-1.99 miles 8 points
- 2.00-2.99 miles 9 points
- 3.00-3.99 miles 10 points
- 4.00-4.99 miles 11 points
- 5.00-5.99 miles 12 points
- 6.00-7.99 miles 13 points

- 8.00-10.99 miles 14 points
 - ≥ 11.00 miles 15 points
4. Please provide information on the quality of the habitat that will be made accessible once the barrier is corrected. Briefly provide information on the following topics:
- a. Describe existing in-stream and riparian habitat conditions at the site, upstream, and downstream of the project (4 points).
 - b. Describe the location and condition of spawning habitat/gravels? If the habitat is rearing dominant, state that and describe further, below.
 - c. Describe the rearing habitat that will be made accessible (e.g. food source, refuge/cover habitat, water temperature, low flow channel).
 - d. What is the surrounding land use? Is water quality a concern for the site, and if so, are improvements anticipated and/or planned (e.g. stormwater filtration, riparian plantings, sediment and material transport)?
 - e. Describe how this project will improve the habitat and overall stream structure and function post-construction. Describe any additional barrier corrections or restoration activities that have occurred or are planned upstream and/or downstream of the project site.

20 points possible 0-20 points (up to 4 points for each bullet)

5. Provide targeted salmon or steelhead species identified to benefit from this project, is presence documented or presumed? (Please identify source of information, e.g. Fish Distribution Layer on [Fish Passage map app](#), spawner survey data or other field observations). These species may include Chinook, Sockeye, Pink, Coho, Steelhead, or Chum. Chinook receive more points due to their importance to Southern Resident killer whales.

7 points possible

- Chinook - 2 points
 - Sockeye - 1 point
 - Pink - 1 point
 - Coho - 1 point
 - Steelhead - 1 point
 - Chum - 1 point
6. What is your proposed barrier correction method? See the WDFW [Water Crossing Design Guidelines](#) and the [Washington Administrative Code 220-660](#) for Hydraulic Code Rules.
- a. Provide information on any constraints that have been identified for the proposed site and any information that will help the reviewer to understand the site.
 - b. Indicate whether you plan to abandon the crossing, construct a bridge at the crossing, or install a stream simulation culvert at the crossing? If no, then you are planning an alternative design, please answer the next bullet.

- c. If you are planning an alternative design, please provide a description of what is planned, including justification for why one of the above correction methods could not be attained and why the proposed design is the best alternative.
- d. Please provide:
 - i. The bankfull width; and
 - ii. the minimum opening through the structure, or for abandonment, discuss bed and bank restoration goals through the road prism.

20 points possible

- Full abandonment, based on supporting information 20 points
- Bridge or Stream simulation design, based on supporting information 15 points
- Alternative design, based on supporting information 0-5 points

7. Describe how the project addresses the anticipated effects of climate change by answering the following:
 - a. Using the WDFW [Culverts and Climate Change web app](#), was there a projected increase in bankfull width?
 - b. Was the structure size increased as the result of that projected bankfull width, if so, by how much?
 - c. If another method for addressing climate change was used, please explain.

5 points possible

- Described how project addresses future climate change and adaptability 0-5 points

Brian Abbott Fish Barrier Removal Board

2025 - 2027 Grant Program

DRAFT Proposal Scoring Criteria - 180 points possible



Question 1: Is the targeted structure federally owned? (Automatic Eligibility Question)	
Not scored	
Question 2: Is any part of the scope of work included in this application required as mitigation for another project or action or court injunction? E.g. FERC relicensing, Habitat Conservation Plan, legal settlement, culvert injunction, etc. (Automatic Eligibility Question)	
Not scored	
Question 3: Are there total barriers to fish passage downstream of the proposed project? (Automatic Eligibility Question)	
Not scored	
Question 4: Are there anadromous species that currently or historically use the stream where this project is proposed to occur? (Automatic Eligibility Question)	
Not scored	
Question 5: Project description.	
Not scored	
Question 6: Does the proposed fish passage barrier have a FPDSI Site ID?	
Not scored	
Question 7: When was the last barrier evaluation and downstream check conducted for the proposed barrier correction worksite(s)? Please provide an overview of the barrier evaluation and downstream check results (for example: The culvert was evaluated in 2014 and determined to be a 33% passable slope barrier. There are no barriers downstream.)	
Not scored	
Question 8: Do you have final designs? If yes, were they developed through a FBRB Planning grant and have they been approved by the TRT Fish Passage Biologist (identify who you worked with)? If not, what level of design is the project?	
Not scored	
Question 9: Quality Habitat Assessment: To be scored by TRT	
25 points possible	
Points assigned via normalized ranking of habitat gains. Top 10% of projects	25 points
11-20% of projects	22 points
21-30% of projects	19 points
31%-40% of projects	16 points
41%-50% of projects	13 points
51%-60% of projects	10 points
61%-70% of projects	8 points
71%-80% of projects	6 points
81%-90% of projects	4 points
91%-100% of projects	2 points

Question 10: If Chinook are present are the stocks important to Southern Resident Killer Whales (SRKW)? ([Source info NOAA paper](#))

8 points possible

Chinook are present, run is important to SRKW	8 points
Chinook are present, but run is not known to be important to SRKW	5 points
Chinook are not present	0 points

Question 11: Are there barriers downstream of the proposed project?

10 points possible

No downstream barriers	10 points
Single downstream partial barrier (67% or 33% passability)	5 points
More than 1 downstream partial barrier (67% or 33% passability)	0 points

Question 12: Does the proposed project occur in a designated FBRB Priority Watershed as identified in RCO Manual 22? Please coordinate with your [Salmon Recovery Region](#) to obtain and provide the ranked priority watershed project list for passage projects proposed this current grant round.

20 points possible

Project is ranked number 1 in a statewide approved priority watershed	20 points
Project is ranked number 2 in a statewide approved priority watershed	10 points
Project is located in a statewide approved priority watershed	5 points
Project is not in a statewide approved priority watershed	0 Points

Question 13: How many miles of anadromous salmonid habitat will be made accessible upstream of the targeted fish passage barrier?

15 points possible (Calculated as upstream miles to first barrier (partial or full))

0.00 - 0.24 miles	1 point
0.25 - 0.49 miles	2 points
0.50 - 0.74 miles	3 points
0.75 - 0.99 miles	4 points
1.00 - 1.24 miles	5 points
1.24 - 1.49 miles	6 points
1.50 - 1.74 miles	7 points
1.74 - 1.99 miles	8 points
2.00 - 2.99 miles	9 points
3.00 - 3.99 miles	10 points
4.00 - 4.99 miles	11 points
5.00 - 5.99 miles	12 points
6.00 - 7.99 miles	13 points
8.00 - 10.99 miles	14 points
≥ 11.00 miles	15 points

Question 14: What is the passability of the existing fish passage barrier?

10 points possible

0% passability	10 points
33% passability	7 points

67% passability	3 points
Unknown passability (applicant must demonstrate that the structure is a barrier)	1 point
Question 15: For targeted ESU species you listed in the grid above that will benefit from this project, is presence documented or presumed? (Please identify source of this information)	
7 points possible	
Chinook	2 points
Sockeye	1 point
Pink	1 point
Coho	1 point
Steelhead	1 point
Chum	1 point
Question 16: Is the proposed project included in a Salmon Recovery Funding Board Lead Entity's workplan, Planned Project Forecast list, or other lead entity-based prioritization. If yes, provide link to source, and provide a page number & report excerpt or screen shot showing where proposed project is prioritized. Provide a letter of support from the local Lead Entity if not already in a list mentioned above.	
10 points possible	
Specifically called out in Lead Entity's workplan or Planned Project Forecast list	10 points
Specifically called out in another non-ESA salmon recovery related plan (e.g., local planning)	4 points
Project located in a watershed where fish passage is an identified priority in a Lead Entity approved plan	2 points
Letter of support provided	2 points
Question 17: The FBRB prioritizes projects that utilize a geomorphic design approach and meet the Water Crossing Design Guidelines. For the presumed or proposed project designs, provide the following information on the channel characteristics, based on your knowledge and observations to date:	
<ul style="list-style-type: none"> • How will your project meet a geomorphic design approach? • What is the proposed or intended structure type or will the crossing be abandoned? • If abandoned, please explain your channel design approach. 	
Please provide stream channel metrics to support your approach, to include:	
<ul style="list-style-type: none"> • What is your bankfull width and how was it determined? For example, how many measurements were taken, how far from culvert were the measurements taken, where were the measurements taken (upstream or downstream)? • What is the proposed minimum opening through the structure or for abandonment discuss bed and bank restoration goals through the road prism? • What is the existing channel slope? If known, what is the proposed channel slope? • Are there any site constraints? 	
20 points possible	
Full abandonment, based on supporting information	0-20 points
Bridge or Stream Simulation Design, based on supporting information	0-15 points
Alternative design, based on supporting information	0-5 points

Question 18: Describe how the project addresses the anticipated effects of climate change by answering the following ([Culverts and Climate Change web app](#)):

- Using the WDFW climate change model was there a projected increase in BFW?
- Was the structure size increased as the result of that projected BFW, if so, by how much?
- If another method for addressing climate change was used, please explain.

5 points possible

Described how project addresses future climate change and adaptability	0-5 points
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Question 19: Summarize additional monetary and in-kind resources leveraged to maximize budget to demonstrate cost effectiveness. Are these resources secured? How long will they be available to use toward the project?

How did you determine your project costs? How did you account for what your project will cost at the time funds will be awarded (2025-27 biennium)?

Up to 12 points possible

Budget provided in application is reasonable	0-2 points
Cost seems appropriate relative to predicted benefits	0-4 points
Sponsor has clearly leveraged available resources to reduce costs and maximize benefits	0-4 points
Resource commitments identified (match)? Please list where your match is coming from and the amount of each. Or indicate if you are a design project that will cost \$350k or less.	0-2 points

Question 20: Describe the level of readiness of the proposed project.

- Has the third-party landowner (if applicable) expressed any concerns that could delay or prevent project construction? Provide documentation from the landowner supporting the project. OR Describe how you will ensure the project footprint will fall within the right-of-way. (Note: right of way acquisition is not eligible for program funds.)
- Which permits have you completed? Please provide a schedule for any other permits needed.
- Additional points possible for restoration projects (i.e., construction), do you have preliminary to final designs (per Manual 22, Appendix C), and if so, have you been coordinating with a WDFW Biologist or a TRT Fish Passage Biologist preferably (provide the name of the biologist)?

18 points possible

Strong support from the third-party landowner provided or description how your project is fully within your right-of-way.	0-2 points
Which permits have been completed? Please provide a schedule for any other permits needed.	0-6 points
Additional points possible for restoration projects (i.e., construction) <ul style="list-style-type: none"> • Preliminary to final designs (2 points), where coordination with a WDFW Biologist or preferably TRT Fish Passage Biologist has taken place, provide the name of the biologist? (8 points) 	0-10 points

Question 21: Geographic coordination: Briefly describe other barrier corrections or fish habitat restoration projects on the stream or within the watershed, which have occurred since 2010 or are funded for implementation by 2029. Provide a list of project names including WDFW fish passage barrier site ID number(s) with maps that clearly show each location:

- On the same stream as the proposed project.
- Within the same HUC-12 watershed as the proposed project. (See WA HUC watershed layer on DFW barrier mapping tool [Washington State Fish Passage](#))

15 points possible

Two points for each project on the same stream up to 10 points	0-10 points
One point for each project within the same HUC-12 up to 5 points	0-5 points
Question 22: Organizational Coordination: Are you sharing resources with other organizations to correct other fish passage barriers in this watershed by May 2029? This can include sharing project development efforts, funding, or other activities. Please briefly describe the coordination and provide the project name, location, and WDFW fish passage barrier site ID number(s).	
5 points possible	
Yes, to more than one of the above	5 points
Yes, to one of the above	3 points
No	0 points
Question 23: Does this application warrant additional discussion and review by FBRB staff?	
Not Scored	
Flag for further discussion and review by FBRB staff.	Check box

RCW 70A.65.305 Tribal consultation. (1) Agencies that allocate funding or administer grant programs appropriated from the climate investment account created in RCW 70A.65.250, the climate commitment account created in RCW 70A.65.260, and the natural climate solutions account created in RCW 70A.65.270 must offer early, meaningful, and individual consultation with any affected federally recognized tribe on all funding decisions and funding programs that may impact tribal resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order. The consultation is independent of, and in addition to, any public participation process required by federal or state law, or by a federal or state agency, including the requirements of Executive Order 21-02 related to archaeological and cultural resources, and regardless of whether the agency receives a request for consultation from a federally recognized tribe. The goal of the consultation process is to identify tribal resources or rights potentially affected by the funding decisions and funding programs, assess their effects, and seek ways to avoid, minimize, or mitigate any adverse effects on tribal resources or rights.

(2) At the earliest possible date prior to submittal of an application, applicants for funding from the accounts created in RCW 70A.65.250, 70A.65.260, and 70A.65.270 shall engage in a preapplication process with all affected federally recognized tribes within the project area.

(a) The preapplication process must include the applicant notifying the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized tribes within the project area. The notification must include geographical location, detailed scope of the proposed project, preliminary application details available to federal, state, or local governmental jurisdictions, and all publicly available materials, including public funding sources.

(b) The applicant must also offer to discuss the project with the department of archaeology and historic preservation, the department of fish and wildlife, and all affected federally recognized tribes within the project area. Discussions may include the project's impact to tribal resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved or protected by federal treaty, statute, or executive order.

(c) All affected federally recognized tribes may submit to the appropriate agency or agencies a summary of tribal issues, questions, concerns, or other statements regarding the project, which must become part of the official application file. The summary does not limit what issues affected federally recognized tribes may raise in the consultation process identified in subsections (1), (3) through (7), and (9) of this section.

(d) The notification and offer to initiate discussion must be documented with the application when it is filed, and a copy of the application must be delivered to the department of archaeology and historic preservation, the department of fish and wildlife, and to the affected federally recognized tribe or tribes. If the discussions pursuant to (b) of this subsection do not occur, the applicant must document the reason why the discussion or discussions did not occur.

(e) Nothing in this section may be interpreted to require the disclosure of information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966. Any information that is exempt from disclosure pursuant to RCW 42.56.300 or federal law, including section 304 of the national historic preservation act of 1966, shall not become part of the official application file.

(3) If any funding decision, program, project, or activity that may impact tribal resources, including tribal cultural resources, archaeological sites, sacred sites, fisheries, or other rights and interests in tribal lands and lands within which a tribe or tribes possess rights reserved by federal treaty, statute, or executive order is funded from the accounts created in RCW 70A.65.250, 70A.65.260, and 70A.65.270 without such a consultation with an affected federally recognized tribe, the affected federally recognized tribe may request that all further action on the decision, program, project, or activity cease until meaningful consultation is completed. Upon receipt of such a request by an agency or agencies with the authority to allocate funding or administer grant programs from the accounts listed in subsection (1) of this section in support of the proposed project, further action by the agency or agencies on any decision, program, project, or activity that would result in significant physical disturbance of the tribal resource or resources described in this subsection must cease until the consultation has been completed.

(4) Upon completion of agency and tribal consultation, an affected federally recognized tribe may request a formal review of the consultation by submitting a request to the governor's office of Indian affairs and notifying the appropriate agencies and the department of archaeology and historic preservation. The state agencies and tribe must meet to initiate discussion within no more than 20 days of the request. This consultation must be offered and conducted separately with each affected federally recognized tribe, unless the tribes agree to conduct a joint consultation with the state.

(5) After the state agencies and tribe or tribes have conducted a formal review under subsection (4) of this section, an affected federally recognized tribe or state agency may request that the governor and an elected tribal leader or leaders of a federally recognized tribal government meet to formally consider the recommendations from the parties. If requested, this meeting must occur within 30 days of the request, except that a federally recognized tribe may choose to opt out of the meeting. This timeline may be extended by mutual agreement between the governor and the tribal leaders.

(6) After the meeting identified in subsection (5) of this section has occurred, the governor or an elected tribal leader of a federally recognized tribe may call for the state and tribe or tribes to enter into formal mediation, except that a federally recognized tribe may choose to opt out of the mediation. If entered into, the mediation must be conducted as a government-to-government proceeding, with each sovereign government retaining their right to a final decision that meets their separate obligations and interests. Mediators must be jointly selected by the parties to the mediation. An agreement between the governor and a tribal leader or leaders resulting from the mediation is formally recognized and binding on the signatory parties. Absent an agreement, participation in mediation

does not preclude any additional steps that any party can initiate, including legal review, to resolve a continuing disagreement.

(7) During the proceedings outlined in subsections (4) through (6) of this section, the agency or agencies with the authority to allocate funding or administer grant programs from the accounts listed in subsection (1) of this section in support of the proposed project may not approve or release funding, or make other formal decisions, including permitting, that advance the proposed project except where required by law.

(8) By June 30, 2023, the governor's office of Indian affairs, in coordination with the department of archaeology and historic preservation and federally recognized tribes, shall develop a state agency tribal consultation process, including best practices for early, meaningful, and effective consultation, early notification and engagement by applicants with federally recognized tribes as a part of the preapplication process in subsection (2) of this section, and protocols for communication and collaboration with federally recognized tribes. The consultation process developed under this section must be periodically reviewed and updated in coordination with federally recognized tribes. The governor's office of Indian affairs must provide training and other technical assistance to state agencies, as they implement the required consultation. Notwithstanding the governor's office of Indian affairs' ongoing work pursuant to this subsection, the provisions of subsections (1) through (7) and (9) of this section become effective as of June 9, 2022.

(9) The requirements of this section apply to local governments that receive funding from the accounts created in RCW 70A.65.250, 70A.65.260, and 70A.65.270, where that funding is disbursed to project and program applicants. Where requested, the governor's office of Indian affairs must provide training and other technical assistance to local government agencies as they implement the consultation requirements of this section.

(10) Any agency subject to or implementing this section may adopt rules in furtherance of its duties under this section.

(11) Subject to the availability of amounts appropriated for this specific purpose, the department must establish a tribal capacity grant program to provide funding to federally recognized tribes for the costs of implementing this section. [2022 c 253 § 1.]