



**Brian Abbott Fish Barrier Removal Board – June 2023 Meeting Summary**

**Date: June 20, 2023**

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

**Location: Virtual Meeting**

**Summary: Formal Actions/Decisions**

<b>Item</b>	<b>Formal Action</b>
Meeting notes from May 16, 2023	Approved
Advance \$3.9 million of returned 2023-2025 funds to alternatives down the 2023-2025 Project List	Approved
Adopt the emeritus position update to the Bylaws	Approved
Update the FBRB’s match requirement so that “No match is required for design-only projects requesting \$350,000 or less.”	Approved

**Summary: Follow-up Items and Next Steps**

<b>Item</b>	<b>Follow-up</b>
<b>Manual 22 and Scoring Criteria Updates</b>	In August, the Board can discuss updates to Manual 22 and the Scoring Criteria for the 2025-2027 grant round in advance of a public request for proposals.
<b>PROTECT Returned Funds</b>	In September, the Board can discuss how to manage any funds returned from project sponsors who successfully received PROTECT funding. Additionally, the Cost Increase Subcommittee can meet in August or September to discuss recommendations for the Board to consider.

**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. Alex Sweetser, Triangle Associates, facilitated introductions with Board members and staff. A quorum was present.

**Public Comment:** Cade Roler provided the following public comment:

“I would like to recommend that the FBRB adjust their match requirement for planning level grants. The FBRB had previously set the criteria that if planning grants exceed \$200,000 then the sponsor would need to provide a match. Since the establishment of that criteria, inflation and general design costs have increased. I would like to recommend that the Board evaluate planning level costs for various owner types including private, city and county and adjust the planning level request that would require the sponsor to pay match.”

**Old Business:** The notes for the FBRB May 2023 meeting were reviewed by the facilitator. A motion to approve the notes was made by Susan Eugenis, Washington State Association of Counties, and seconded by Jeannie Abbott, Governor's Salmon Recovery Office (GSRO). The motion was approved with no objections.

**Decision:** Board approved the May 2023 Meeting Notes.

## **General Updates**

### ***Statewide Fish Passage Barrier Removal Strategy Update***

Jane Atha, WDFW, shared that a consultant team from Triangle completed a situational assessment through interviews with key stakeholders. Through this assessment, interviewees identified key statewide challenges they face such as coordination on complex projects, data gaps on barriers, and funding being used on lower priority barrier removals. Additionally, an eight-member science panel was finalized. The science panel will help develop recommendations for the Strategy.

### ***Staffing and Board Membership Updates***

Dave Caudill was the Recreation and Conservation Office (RCO) Outdoors Grant Manager until he retired in May. John Foltz, formerly Council of Regions, was hired by RCO as the new Outdoors Grant Manager. Alice Rubin is the temporary RCO program manager until John Foltz is onboarded into his new position.

Steve Manlow will replace John Foltz as the Council of Regions Board member. Steve was previously the Council of Regions representative until 2019. The Council of Regions still needs to name their alternative Board member.

Carl Schroeder, Association of Washington Cities (AWC), is on a sabbatical until September. His alternative is Shannon McClelland.

Susan Kanzler the Washington State Department of Transportation (WSDOT)'s Board member following Paul Wagner's retirement. WSDOT's new alternative will be April Magrane.

### ***WDFW Fish Passage Rulemaking***

Gabrielle Stilwater, WDFW, shared that the agency anticipates filing the CR-102 tomorrow, June 21, 2023. Due to the rule's page length, it will take six weeks for the rules to be published, which is anticipated for August 2, 2023. A series of outreach webinars are planned for late August or September. Gabrielle will reach out to the Associations of Cities and Counties as well as the state agency family to set dates for these webinars. Then, the rules will be presented at the WDFW Commission public hearing on September 28, 2023.

### ***Reallocating Returned 2023-2025 FBRB Funds***

Alice Rubin, RCO, noted that if funds are anticipated to be returned from 2023-2025 projects, the Board needs to decide to reallocate the funds to alternatives down the 2023-2025 Project List.

Chair Jameson shared that the North Olympic Salmon Coalition's project on Johnson Creek was funded in the 2021-2023 biennium but required additional funds to complete the project. The project's construction was phased, and the sponsor reapplied in the FBRB's 2023-2025 grant round for the remaining funds. The project was approved as the third project on the 2023-2025 Project List for \$3.9

million. However, it also received a Puget Sound Acquisition and Restoration (PSAR) grant. After working with RCO, the sponsor decided to use the additional PSAR funding instead of 2023-2025 FBRB funds. This decision means \$3.9 million was returned and became unobligated for 2023-2025.

Chair Jameson proposed the \$3.9 million of returned funds be used to fund the first four alternatives on the 2023-2025 Project List. He noted 2023-2025 projects will likely need cost increase requests given rising material costs, but returned funds may become available from projects that receive Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) funds. Alice shared that RCO will start getting grant projects under agreement on July 1, 2023, and a decision on advancing funds is needed to ensure the four alternatives can begin working with RCO

#### *Board Questions and Discussion*

- In response to a concern from David Collins, WDFW, about the likelihood of future cost increase requests, Chair Jameson explained there is a reasonable expectation that 2023-2025 projects will need cost increases in the future. He noted 2023-2025 projects seeking PROTECT funds raised their costs by 20% on average. However, WDFW recommends against withholding FBRB funding based on distant cost increases because there are other opportunities for sponsors to get more funding. For example, if qualifying projects above the 2023-2025 funding line receive PROTECT funds, there would be returned, unobligated funds available for cost increase requests or reallocation to alternatives. Alternatively, there are other federal grant opportunities available to project sponsors to obtain additional funds.

**Decision:** A motion to advance the \$3.9 million of returned, unobligated 2023-2025 funds to alternatives down the 2023-2025 Project List was made by Jeannie Abbott and Seconded by Chair Jameson. The motion was approved with no objections.

#### **FBRB Bylaws Update for Emeritus Members**

At the May FBRB meeting, the Board decided to create a non-voting emeritus membership position for past Board members. Since that decision was made, Triangle updated the FBRB Bylaws with the emeritus position criteria developed by the Board.

**Decision:** A motion to approve the revised Bylaws was made by Chair Jameson and seconded by Susan Kanzler. The motion was approved with no objections.

#### **Discuss FBRB Match Requirements**

At the May FBRB meeting, the Board discussed the Salmon Recovery Funding Board (SRFB)'s efforts to reduce or eliminate match funding and if the FBRB should make similar changes. Additionally, the Board discussed feedback from the Salmon Recovery Conference that they Board's 15% match requirement can be a barrier to entry, which can create equity issues for NGOs, Tribes, private landowners, and small local governments to qualify for FBRB funds.

Chair Jameson explained the intent of having project sponsors provide a match would be to reduce project costs because the sponsor would have a stake in those costs. However, project costs have increased over time and project sponsors are having difficulty meeting grant program match requirements. FBRB grant program managers have observed project sponsors seeking match funding through other grant programs, which defeats the intent of requiring a match.

In May, the SRFB updated their match requirement so that no match is required for design-only projects requesting \$350,000 or less. Chair Jameson proposed the FBRB grant program update their match requirements to align with the SRFB's to improve the program's accessibility. Alice Rubin clarified this

change would not be grandfathered into the 2023-2025 grant round and would go into effect for the 2025-2027 grant round.

**Decision:** A motion to change the FBRB match requirements so that “No match is required for design-only projects requesting \$350,000 or less” was made by Jeannie Abbott and approved by Chair Jameson. The motion was approved with no objections. This change will take effect for the 2025-2027 grant round.

## **Update on Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) Funding**

### ***Update on PROTECT Funding***

Chair Jameson shared that nine eligible sponsors on the FBRB’s 2023-2025 project list are pursuing FY2022 PROTECT funds. The sponsors are still working to meet the federal requirements before September 2023 so WSDOT Local Programs can allocate the funds. If the project sponsors do not meet these requirements in time, they can still seek remaining PROTECT funds in future fiscal years. In the meantime, these projects will move forward with getting under agreement with RCO. When these projects meet the federal requirements and begin receiving PROTECT funds any remaining funds will be returned. Chair Jameson recommended the Board wait to see if sponsors receive FY2022 PROTECT funds and track any project sponsor concerns about meeting the September deadline. Chair Jameson recommended the Board discuss how to manage funds that are returned from PROTECT recipients and suggested the Cost Increase Subcommittee meet in advance of the meeting to develop initial recommendations.

**Path Forward:** In September, the Board can discuss how to manage any funds returned from project sponsors who successfully receive PROTECT funding. Additionally, the Cost Increase Subcommittee can meet in August or September to discuss recommendations for the Board to consider.

## **Discuss Upcoming Opportunities for Engagement**

### ***FBRB Mailing List Sign-up Overview***

Christy Rains, WDFW, shared the Board has a mailing list and anyone can sign-up through the Board’s website. Currently, it is used to notify the public of monthly Board meetings. In the future, it will be used to advertise funding opportunities. The mailing list will become more relevant with the FBRB’s upcoming request for proposals for 2025-2027 funding.

### ***Manual 22 Updates***

Christy Rains noted the Board can discuss updates to Manual 22 and the Scoring Criteria for the 2025-2027 grant round in advance of a public request for proposals this fall.

**Path Forward:** In August, the Board can discuss updates to Manual 22 and the Scoring Criteria for the 2025-2027 grant round in advance of a public request for proposals.

### ***Annual Conference for Washington State Associate of County Engineers***

Chair Jameson will attend the Annual Conference for Washington State Associate of County Engineers and give a presentation about the FBRB on June 27. Then, a presentation on Fish Passage Rulemaking will be given on June 28 at the conference.

### ***Nelson Dam Removal and Replacement Project Highlight***

The Nelson Dam Removal and Replacement Project, which was partially funded by the FBRB grant program, has begun its second phase following the removal of the dam. Chair Jameson shared [this video link](#) showing the project's progress.

### **Meeting Closing**

The FBRB meeting for July 2023 was cancelled. The next meeting will be held virtually on August 15, 2023.

**Adjourn:** The meeting adjourned early at approximately 11:30 a.m.

**Next Meeting: Virtual meeting on August 15, 2023**

### **ATTENDANCE**

#### **Board Members/Alternates:**

Axel Swanson, Washington State Association of Counties	Jeannie Abbott, Governor's Salmon Recovery Office (GSRO)
Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW)	Susan Kanzler, Washington State Department of Transportation (WSDOT)
Christy Rains, WDFW	Tim Resseguie, Yakima Nation

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

Cassandra Weekes, WDFW	Melissa Erkel, WDFW
Christopher Clemons, WDFW	Alice Rubin, Recreation and Conservation Office (RCO)
David Collins, WDFW	John Foltz, RCO
Gabrielle Stilwater, WDFW	Josh Lambert, RCO
Jane Atha, WDFW	Alex Sweetser, Facilitation Support
Julie Grobelny, WDFW	Joy Juelson, Facilitation Support

#### **Others observing:**

Cade Roler	Joey Smith	Shayna Ferullo
Daniel Howe	Heidi Reynolds	Steve Helvey
Don Gourlie	Kristen Harma	Sue Madsen
Evan Lewis	Matthew Miskovic	Tracy Gilson
Jim Heytvelt	Mike Reicher	