



Brian Abbott Fish Barrier Removal Board – September 2022 Meeting Notes

Date: September 28, 2022

Time: 8:30 a.m. to 1:45 p.m.

Location: Hybrid Meeting: In-person in Walla Walla, WA and Virtual Meeting

Summary: Formal Actions/Decisions

Item	Formal Action
Meeting notes from August 16, 2022	Approved

Summary: Follow-up Actions

Item	Follow-up
Policy Subcommittee Meeting	Triangle will help schedule a Policy Subcommittee meeting to discuss grant writing capacity, fiscal sponsors, and an approach to coordinate with project sponsors regarding federal funding before the October 18, 2022 FBRB meeting.
FBRB Session at Salmon Recovery Conference	The Board will develop and submit an abstract for an FBRB session at the Salmon Recovery Conference in April 2023. The session will feature project sponsors giving a showcase of approximately four projects funded by the FBRB.

Welcome/Introductions/Agenda Review: John Foltz, Council of Regions, introduce attendees to Walla Walla, WA and provided background information around salmon recovery efforts in the area. Triangle Associates facilitator, Joy Juelson, called the meeting to order at 9:00 a.m. Alex Sweetser, Triangle Associates, facilitated introductions with **Brian Abbott Fish Barrier Removal Board**, FBRB members and staff. A quorum was present.

Public Comment: There were no public comments.

Old Business: The meeting notes for the FBRB August 2022 meeting were reviewed by the facilitator. A motion to approve the notes was made by John Foltz, Council of Regions, and seconded by Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW). The motion was approved with no objections.

Decision: Board approved the Board August 2022 Meeting Notes.

General Updates:

Update on National and Oceanic and Atmospheric Administration (NOAA) Grant Program Submittal

At the last meeting on August 16, 2022, the Board agreed to submit a proposal package of projects from Lewis and Kitsap County to NOAA's *Restoring Fish Passage through Barrier Removal* grant program. Chair Jameson shared that due to an administrative error at WDFW's Contracting Office, the Board's proposal package was submitted late and failed to advance. This is the first of five years of funding, so the proposal can be resubmitted to NOAA or through other grant opportunities.

- Susan Eugenis, Washington State Association of Counties (WSAC), shared that Cowlitz County was able to submit an application to the NOAA grant program. If the project is not accepted, she offered to debrief with NOAA and share the feedback and lessons learned with the Board.
- Board members discussed capacity issues for grant writing at state agencies since many do not have dedicated grant writers. This issue has been compounded by quick turnaround periods for several recent grant programs. Additionally, Board members discussed issues around identifying fiscal sponsors and grant managers for federal funds.
- Board members identified several possible solutions to these issues. This included state agencies utilizing contractors to write grants, requesting funding to hire grant writers, or reassigning work within agencies, especially within science divisions.
- John Foltz proposed holding a Policy Subcommittee meeting to continue the discussion around grant writing capacity, fiscal sponsors, and an approach to coordinate with project sponsors regarding federal funding. The Board agreed to hold a subcommittee meeting before the October FBRB meeting.

Action Item: Triangle will help schedule a Policy Subcommittee meeting to discuss grant writing capacity, fiscal sponsors, and an approach to coordinate with project sponsors regarding federal funding before the October FBRB meeting.

Additional FBRB Funds from the Bipartisan Infrastructure Law (BIL)

Carl Schroeder, Association of Washington Cities (AWC), explained that AWC and the WSAC requested the Washington Joint Transportation Committee (JTC) provide three years of funding from the *Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation* (PROTECT) program to the FBRB. The JTC tentatively agreed to direct \$75 million to address local fish passage projects with the FBRB facilitating project selection and Washington State Department of Transportation (WSDOT) Local Programs administering funding and provide guidance on federal requirements. The JTC memo is available at this link: [Final Joint Transportation Committee State/Local split memo now available! \(wacities.org\)](https://www.wacities.org/final-joint-transportation-committee-state-local-split-memo-now-available).

- Chair Jameson expressed concern that the legislature may think the PROTECT funding or other federal funding sources meets the FBRB needs. However, based on this biennium's \$90 million request, these funding sources would not be enough to meet project sponsor demand. To avoid confusion, he recommended the Board hold a separate request for proposals for PROTECT funds.

Tire Dust Workgroup Forming Lead by NOAA and WA Department of Ecology (Ecology)

Christy Rains, WDFW, shared the Tire Dust Workgroup is being hired through a proviso to 1) study where tire dust is most impacting coho, 2) develop a map of where coho impacts are, and 3) assess and build better management practices for filtering stormwater. Much of this work would likely focus on King County and urban areas where the FBRB does not do much work. Outcomes from the work group will

likely affect the statewide fish barrier strategy and could add stormwater filtering requirements to fish passage projects in the most impacted areas. As the work group is formed, more information will be provided to the Board.

- Ecology’s *Stormwater Treatment of tire Contaminants Best Management Practices Effectiveness* report was shared with attendees. The final report, which includes management practices related to filtering the problematic tire contaminant, is available here: [2022_SWTreatmentOfTireContaminants-BMPEffectiveness.pdf \(wa.gov\)](https://www.ecy.wa.gov/Program/Implementation/Pages/2022-SW-Treatment-Of-Tire-Contaminants-BMPEffectiveness.pdf)

Proviso Strategy Discussion

Proviso Strategy Update

Chair Jameson gave an overview of the FBRB’s two barrier removal strategies: 1) a watershed pathway and 2) a partnership pathway. In the watershed pathway, barrier removals within watersheds are prioritized by regional salmon recovery organizations. In the partnership pathway, barriers are removed near other barrier corrections to leverage previous investments. He explained that both pathways are “pull systems” i.e., funding is provided through proposals to match actual demand for fish passage barrier improvements. Another system would be a “push system” where the state identifies and prioritizes barriers to determine where funding should be provided and then would approach barrier owners with funding for barrier improvement, which is what the Proviso Strategy would be. He noted some issues with a push system include limited capacity for WDFW to conduct inventory and assessment work of barrier and situations where there is not landowner willingness for the project.

Chair Jameson explained that Dr. Jane Atha, WDFW, was hired as the Fish Passage Strategist to develop the Proviso Strategy. Another request for proposals (RFP) was made to hire a contractor to support the develop the strategy. The due date for the RFP was October 7, 2022, and contractor selection is anticipated for mid-October in advance of the October 18, 2022 FBRB meeting. Dr. Atha noted the strategy development process will include an expert science panel and there will be other ways to be involved. Opportunities will be communicated to the Board as they arise.

UW Washington “Sea Grant Culvert Team Restoration Costs” Paper

Chair Jameson explained a UW research team led by Sunny Jardin was funded by WA Sea Grant to assess fish barrier correction costs as a mechanism for prioritization. Since the paper was published, Braeden Van Deynze, one of the lead authors, was hired by WDFW as an environmental economist. The paper is available here: [What influences spatial variability in restoration costs? Econometric cost models for inference and prediction in restoration planning - ScienceDirect](https://www.sciencedirect.com/science/article/pii/S0167636921000000)

WDFW Fish Passage Rulemaking Update

Gabrielle Stilwater, WDFW, explained the Southern Resident Orca Task Force published a report in 2018 identifying lack of prey as a key threat to Southern Resident Orcas. Recommendation #3 of the report endorsed state agencies to apply and enforce laws that protect habitat. Specifically, the task force noted that the governor should direct WDFW to develop rules to fully implement RCW 77.57. Currently, the rulemaking is in the CR-101 preproposal phase and WDFW has been conducting early outreach to gather feedback before advancing the rules in the CR-102 proposal phase. WDFW is concluding early outreach by hosting webinars on the following dates:

- Wednesday, October 12: Tribal Partners
- Tuesday, October 18: State Family

- Tuesday, October 25: General Public
- Wednesday, October 26: Cities and Counties

After the informational webinars, WDFW will conduct a small business economic impact statement and cost-benefit analysis before formally submitting the rulemaking proposal. WDFW anticipates advancing the rulemaking proposal in February or March 2023 and adoption in the summer of 2023.

- Joy Juelson, facilitator, reiterated the new rulemaking includes standards for climate adapted water crossings.
- In response to a question, Gabrielle explained WDFW has not forced a shutdown of water withdrawal in a system where fish passage is not occurring. Issues around water withdrawal fall under Dept. of Ecology. Also, a shutdown like this would be legally contentious and difficult to enforce. Danny Didricksen, WDFW, noted much of the credit goes to water users who have been willing to work with WDFW and regional partners to remain in compliance with their water withdrawals.

Debrief of the 2023-2025 Ranked List Process

Christy Rains explained the intent of this debrief is to share initial observations, identify possible discussion topics for future meetings, and solicit feedback from Board members. She noted WDFW's Technical Review Team (TRT) needs more time to internally process this year's application process before they can fully identify issues or share their recommendations to improve the Scoring Criteria with the Board.

Christy provided a brief overview of observations from the TRT around prioritizing the list this year. In general, planning projects tended to rank lower than restoration process and it is unclear if it was due to the nature of the projects or a bias in the Scoring Criteria. Additionally, this was the first year where there were multiple projects from different sponsors within the same stream/tributary and in some cases, upstream barriers ranked higher than downstream partial barriers. Until funding is provided by the legislature, it is unclear if this scoring difference will impact which projects are funded. One possible solution would be project bundling by stream/tributary, which would require further discussion.

Questions and Discussion:

- John Foltz suggested one option available to the Board is to focus on funding design projects and then elevating those designs to other funding opportunities at the state and federal level. Doing so could allow the Board to leverage federal funding. This could also speed up the downtime between completed designs and construction since designs have a "shelf life" and need to be updated to match current construction pricing.
- Christy clarified that "planning projects" are applications to fund project designs and "restoration projects" are projects to fund both the design and construction of a barrier improvement or construction of projects that currently have designs. Alice Rubin, RCO, noted these projects are differentiated in PRISM and applicants can voluntarily link their application to previously funded projects in PRISM.
- David Collins, WDFW, noted tracking design projects and facilitating their funding through the FBRB or other funding sources would be a good way to avoid stranded investments in outdated design projects.
- Carl Schroeder noted if a minimum scoring limit is made, it should have a mechanism to account for multiple projects within the same watershed to leverage the benefits of concurrent restoration projects.

- Board members discussed grouping and bundling of projects. They identified several possible issues which included project sponsor capacity for multiple projects, the need to sequence bundled projects, coordination of several sponsors, complexities of having projects at different stages (i.e., design and/or restoration), the need to update the Scoring Criteria, and situations where one project cannot advance effectively holding up the other projects. They identified several possible benefits including increased sponsor coordination and capitalizing on sponsor willingness, simplifying the application process for sponsors, avoiding sequencing issues by elevating the entire bundle together, and improving fish passage gains by fully addressing fish passage issues in a system. Board members agreed to revisit this topic at a future Board meeting.

Board Discussion of a Lower Scoring Limit on the FBRB Project List

- Board members suggested that if a lower scoring limit was implemented, it should be determined by the TRT. Additionally, the TRT could red-flag projects as “do not fund now” for a grant round and allow these projects the opportunity to apply in the future once the underlying issue is addressed.
- Chair Jameson explained that the funding limit has been traditionally set by the legislature. Each year, the FBRB’s program has expanded, and the legislature has provided increased funding. Some Board members cautioned against setting a limit this year due to the promising amount of funds available to the state this biennium. They noted several other grant programs have upper limits and they did not want to create a limit prematurely when they may be a large supply to match this year’s record demand.
- Several Board members affirmed this was a good year to advance the entire 2023-2025 project list of vetted projects.

Discuss Upcoming Opportunities for Engagement

Upcoming Conferences: Salmon Recovery Conference, April 2023

Joy Juelson and Alex Sweetser noted a call for abstracts went out for the Salmon Recovery Conference from April 18-19, 2023 in Vancouver, WA. Since the September meeting, the deadline for abstracts was extended to October 28, 2022. The Board agreed to develop and submit an abstract for a session to explain who the FBRB is, how their grant program works, and for a selection of project sponsors to provide a showcase of projects (approximately four) funded by the Board.

Action Item: The Board will develop and submit an abstract for an FBRB session at the Salmon Recovery Conference in April 2023. The session could feature a selection of project sponsors giving a showcase of projects funded by the FBRB.

Board Tour of Mill Creek in Walla Walla, WA

The day following the meeting, Board members were invited to attend a tour of Mill Creek in Walla Walla, WA to showcase projects funded by the Board and how those projects tie into other recovery efforts in the watershed.

Adjourn: The meeting adjourned at approximately 1:45 p.m.

Next Meeting: Virtual meeting on October 18, 2022

ATTENDANCE

Board Members/Alternates:

Axel Swanson, Washington State Association of Counties	Jeannie Abbott, GSRO
Carl Schroeder, Association of Washington Cities	John Foltz, Council of Regions, Snake River Salmon Recovery Board (SRSRB)
Chair Thomas Jameson, Washington Department of Fish and Wildlife (WDFW)	Susan Kanzler, Washington State Department of Transportation (WSDOT)
Christy Rains, WDFW	Terra Rentz, Department of Natural Resources (DNR)
Erik Neatherlin, Governor’s Salmon Recovery Office (GSRO)	

WDFW, RCO Staff and Triangle Facilitation Team:

Amber Martens, WDFW	Julie Grobelny, WDFW
Casey Costello, WDFW	Cassandra Weekes, WDFW
Danny Didricksen, WDFW	Alice Rubin, Recreation and Conservation Office (RCO)
David Collins, WDFW	Alex Sweetser, Facilitation Support
Gabrielle Stilwater, WDFW	Joy Juelson, Facilitation Support
Gina Piazza, WDFW	Olivia Smith, Facilitation Support
Jane Atha, WDFW	

Others observing:

Cheryl Baumann	Evan Lewis	Steve Helvey
Derek Marks	Heidi Reynolds	Tracy Gilson
Don Gourlie	Matthew Miskovic	Call-in user x6
Erik Schwartz	Nikki Venneman	