

RANK	Region	Agency	Title	Funds Requested	Running Total	Site ID(s)	Total Score
1	SW	La Center	Breeze Creek Culvert Replacement	\$4,000,000	\$4,000,000	1350016, 91A0010	73
2	OR	Bremerton	Parish Creek Fish Passage Barrier Removal	\$2,266,000	\$6,266,000	15.0220 0.10	72
3	OR	Thurston County	Green Cove Creek Fish Barrier Removal -- Phase 1	\$3,190,000	\$9,456,000	13.0133 0.50	70
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6	SW	Wahkiakum County	East Fork Deep River Connectivity a	\$3,544,000	\$20,612,659	934499 (2 culverts), 934498 (2 culverts), 934630	61
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8	OR	Kitsap County	Duncan Creek	\$2,785,000	\$30,197,659	15.0191 0.06	60
9	NW	Seattle Public Utilities	Fauntleroy Creek Culvert/45th Ave SW	\$20,952,000	\$51,149,659	700197	59
10	SW	Lewis County	Van Ornum Crk at Bunker Crk Rd	\$1,768,000	\$52,917,659	021(24034)(02386)	58
11	OR	Kitsap County	Burley Creek at Spring Creek Road	\$4,236,000	\$57,153,659	936545	56
12	NW	Everett	Olympic Boulevard Fish Barrier at Pigeon Creek No. 2	\$2,140,000	\$59,293,659	920589	53
13	NW	Seattle Public Utilities	Fauntleroy Creek Culvert/California Ave SW	\$22,000,000	\$81,293,659	700198	52
14	OR	Tumwater	Somerset Hill Culvert Replacement	\$4,000,000	\$85,293,659	3410302	47
15	OR	Kitsap County	Horizon Lane Culvert	\$2,660,000	\$87,953,659	996762	46
16	NW	Ferndale	Main Street	\$2,200,000	\$90,153,659	120511	26
Total				\$90,153,659	\$90,153,659		

#	Region	Agency	Title	Scope	Award	Account Name	Password	LPE	LPE Info	MPO
1	North Central Region	Douglas County	Grant Rd - N. Quincy Ave to Urban Industrial Way	Plane existing surface; pave with HMA; and rebuild ADA ramp, curb, and gutter.	\$1,117,000	Douglas Co.	DouCo394	Brian Pearson	Brian Pearson at 509.667.3090 or Brian.Pearson@wsdot.wa.gov	Jeff Wilkens, Executive Director, CDTC
2	Northwest Region	Everett	W. Mukilteo Blvd	Plane and overlay.	\$1,079,000	Everett	Ever749	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
3	Northwest Region	Federal Way	21st Ave SW	Pavement repair, planing, overlay, curb ramps, pedestrian push buttons, and curb.	\$2,590,000	Federal Way	FedWa505	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
4	Northwest Region	Federal Way	SW 320th Street	Pavement repair, planing, overlay, curb ramps, pedestrian push buttons, and curb.	\$1,500,000	Federal Way	FedWa505	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
5	Olympic Region	Fife	Pacific Hwy E. Preservation	Grind and inlay, subgrade repair, as necessary, curb ramps, and pedestrian push buttons and countdown timers.	\$2,513,000	Fife	Fife684	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
6	Northwest Region	Issaquah	Newport Way SW	Pavement repair, milling, overlay, upgrad ped ramps, utility adjustments, and curb and gutter repair.	\$1,580,000	Issaquah	Issaq446	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
7	Northwest Region	Issaquah	NW Sammamish Rd/SE 56th St	Pavement repair, milling, overlay, upgrad ped ramps, utility adjustments, curb and gutter repair, and adjust EB bike lane to improve safety with transit.	\$3,141,000	Issaquah	Issaq446	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
8	Northwest Region	Kent	64th Ave S./W. James St	Pavement repair, grind, mill, overlay, improve bus stops, bike lane, curb ramps, crosswalk, sidewalk, and upgrade ped push buttons.	\$3,070,000	Kent	Kent291	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
9	Northwest Region	Marysville	88th St NE Corridor	Reconstruct roadway, curb and gutter, multi-use pathway, signal, and illumination.	\$3,500,000	Marysville	Marys088	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
10	Northwest Region	Marysville	Ingraham Blvd and 84th St NE	Grind and overlay, pavement repair, upgrade curb ramps, and loop/video detection.	\$3,602,000	Marysville	Marys088	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
11	Olympic Region	Olympia	Pacific, State, and 4th Chip Seal	Pavement repair, chip seal, and fog seal.	\$1,240,000	Olympia	Olymp491	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	Marc Daily, Executive Director, TRPC
12	South Central Region	Pasco	Ainsworth Ave	Mill and overlay, pavement repair, and upgrade curb ramps.	\$2,052,000	Pasco	Pasco408	Randy Giles	Randy Giles at 509.577.1780 or Randy.Giles@wsdot.wa.gov	Michelle Holt, Executive Director, BFCG
13	South Central Region	Pasco	Lewis Street	Mill and overlay, pavement repair, and upgrade curb ramps.	\$4,714,000	Pasco	Pasco408	Randy Giles	Randy Giles at 509.577.1780 or Randy.Giles@wsdot.wa.gov	Michelle Holt, Executive Director, BFCG
14	Olympic Region	Pierce County	224th Street East	Plane, pre-level, pavement repair, pave, induction loop repair, and ADA upgrades, as required.	\$2,494,000	Pierce Co.	PieCo875	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
15	Olympic Region	Pierce County	Canyon Road East	Pavement repair, grind and overlay, and ADA curb ramps, as required.	\$2,000,000	Pierce Co.	PieCo875	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
16	Olympic Region	Port Angeles	First/Front Paving	Mill and fill and curb ramp repair.	\$2,483,000	Port Angeles	PorAn751	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	None
17	South Central Region	Richland	Central George Washington Way	Mill and overlay and pavement repair. [NHS funds for pavement work only. Total project includes: bike lanes, signals, curb ramps and extensions, and sidewalk.]	\$1,024,000	Richland	RichI097	Randy Giles	Randy Giles at 509.577.1780 or Randy.Giles@wsdot.wa.gov	Michelle Holt, Executive Director, BFCG
18	South Central Region	Richland	South George Washington Way	Mill and overlay, pavement repair, and upgrade curb ramps.	\$1,307,000	Richland	RichI097	Randy Giles	Randy Giles at 509.577.1780 or Randy.Giles@wsdot.wa.gov	Michelle Holt, Executive Director, BFCG
19	Northwest Region	Seattle	East Marginal Way S.	Mill and overlay, pavement repair, crack seal, install curb ramps, and improved crossings.	\$10,000,000	Seattle	Seatt618	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
20	Northwest Region	Seattle	Roosevelt Way	Mill and overlay, pavement repair, crack seal, install curb ramps, and improved crossings.	\$8,700,000	Seattle	Seatt618	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
21	Northwest Region	Snohomish County	Ash Way	Subgrade repairs, grind/pulverize, pave, and upgrade ADA facilities, as required.	\$1,127,000	Snohomish Co.	SnoCo695	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
22	Eastern Region	Spokane	3rd Ave and Stevens St	Grind and overlay, pavement repair, crack sealing, and update curb ramps, as required.	\$3,136,000	Spokane	Spoka097	Mark Allen	Mark Allen at 509.324.6080 or Mark.Allen@wsdot.wa.gov	Lois Bollenback, Executive Director, SRTC
23	Eastern Region	Spokane	Sprague and Alki/Broadway	Grind and overlay, pavement repair, crack sealing, and update curb ramps, as required.	\$3,203,000	Spokane	Spoka097	Mark Allen	Mark Allen at 509.324.6080 or Mark.Allen@wsdot.wa.gov	Lois Bollenback, Executive Director, SRTC
24	Eastern Region	Spokane County	Country Homes Blvd	Grind and inlay, extend and widen bike lane, and upgrade curb ramps.	\$1,586,000	Spokane Co.	SpoCo591	Mark Allen	Mark Allen at 509.324.6080 or Mark.Allen@wsdot.wa.gov	Lois Bollenback, Executive Director, SRTC
25	Eastern Region	Spokane County	Market Street	Overlay roadway, widen shoulders, and upgrade curb ramps.	\$2,359,000	Spokane Co.	SpoCo591	Mark Allen	Mark Allen at 509.324.6080 or Mark.Allen@wsdot.wa.gov	Lois Bollenback, Executive Director, SRTC
26	Eastern Region	Spokane Valley	S. Sullivan Rd Preservation	Pavement repair, overlay, fill sidewalk gaps, ITS facilities, and evaluation of crossing improvement at 12th Ave.	\$3,957,000	Spokane Valley	SpoVa759	Mark Allen	Mark Allen at 509.324.6080 or Mark.Allen@wsdot.wa.gov	Lois Bollenback, Executive Director, SRTC
27	Eastern Region	Spokane Valley	Sprague Ave Preservation	Pavement repair, overlay, and upgrade curb ramps, as required.	\$1,347,000	Spokane Valley	SpoVa759	Mark Allen	Mark Allen at 509.324.6080 or Mark.Allen@wsdot.wa.gov	Lois Bollenback, Executive Director, SRTC
28	Olympic Region	Tacoma	S. 11th St	Grind and overlay and curb ramp/signal upgrades, as required.	\$3,163,000	Tacoma	Tacom113	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
29	Olympic Region	Tacoma	S. Yakima Ave	Grind and overlay and curb ramp/signal upgrades, as required.	\$1,639,000	Tacoma	Tacom113	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
30	Olympic Region	Thurston County	Mud Bay Rd Preservation	Grind and overlay with fiber reinforced asphalt and upgrade curb ramps, as required.	\$3,000,000	Thurston Co.	ThuCo687	John Ho	John Ho at 564.669.1018 or John.Ho@wsdot.wa.gov	Marc Daily, Executive Director, TRPC
31	Northwest Region	Tukwila	Boeing Access Road	Grind and overlay of roadway and replace concrete overlay of bridge deck over BNSF railway.	\$3,990,000	Tukwila	Tukwi785	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
32	Northwest Region	Tukwila	Interurban Ave S.	Pavement repairs, overlay, and curb and gutter repair.	\$4,958,000	Tukwila	Tukwi785	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
33	Northwest Region	Tukwila	Orillia Rd South	Pavement repairs; overlay; and curb and gutter, sidewalk, and guardrail repair.	\$1,309,000	Tukwila	Tukwi785	Mehrdad Moini	Mehrdad Moini at 206.440.4734 or Mehrdad.Moini@wsdot.wa.gov	Kelly McGourty, Transportation Director, PSRC
34	Southwest Region	Vancouver	Chikalov/112th - SE Mill Plain to NE 28th	Pavement repair and mill and overlay.	\$1,840,000	Vancouver	Vanco537	Rob Klug	Rob Klug at 360.905.2182 or klugr@wsdot.wa.gov	Matt Ransom, Executive Director, SWRTC
35	Southwest Region	Vancouver	W. Fourth Plain Blvd	Pavement repair and mill and overlay.	\$980,000	Vancouver	Vanco537	Rob Klug	Rob Klug at 360.905.2182 or klugr@wsdot.wa.gov	Matt Ransom, Executive Director, SWRTC
36	South Central Region	Walla Walla	Alder St	Mill and inlay, pavement repair, upgrade curb ramps, as required, replace signage, and flashing beacon at School Ave.	\$1,725,000	Walla Walla	WalWa525	Randy Giles	Randy Giles at 509.577.1780 or Randy.Giles@wsdot.wa.gov	Andy Gomez, Executive Director, WWMPO
37	South Central Region	Walla Walla	Alder St/Tausick Way	Crack seal, rutting repair, chip seal, fog seal, and replace signage.	\$1,400,000	Walla Walla	WalWa525	Randy Giles	Randy Giles at 509.577.1780 or Randy.Giles@wsdot.wa.gov	Andy Gomez, Executive Director, WWMPO
38	South Central Region	Yakima	Nob Hill Blvd	Pavement repair, crack seal, mill and fill, and upgrade curb ramps, as required.	\$1,571,000	Yakima	Yakim007	Randy Giles	Randy Giles at 509.577.1780 or Randy.Giles@wsdot.wa.gov	Christina Wickenhagen, Executive Director, YVCOG

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

PROTECT FY24: APPLICATIONS AND FUNDING RECOMMENDATIONS

Casey Costello, Interim Section Manager
John Foltz, Outdoor Grants Manager



PROTECT FY24: Overview of Process

- 16 Applications Received (forwarded by WSDOT local programs) with varying attachments and supplemental information
- Available funding 45 million. Requested funds 90.1 million
- Applications reviewed for eligibility and completeness
- Applications scored and ranked using agreed upon, condensed BAFBRB evaluation questions
- Clarification needed from WSDOT regarding funding capabilities – partial funding
- Reviewed ranked list and developed board recommendations with RCO/WDFW team
- Draft motion language provided for board consideration – 3 options



RANK	Region	Agency	Title	Funds Requested	Running Total	Site ID(s)	Species Confirm	Barrier/Passability Confirm	Cleared DS Check	EVAL: Barrier Status (10pts)	EVAL: Number of DS Barriers (10pts)	EVAL: Regional Coordination (10 pts)	EVAL: Realized/Actual Gain, Max of 15pts (Map Checked)	EVAL: Habitat Quality (20pts)	Species (7pts)	Project Type (20pts)	EVAL: Climate Change (5pts)	Total Score
1	SW	La Center	Breeze Creek Culvert Replacement	\$4,000,000	\$4,000,000	1350016, 91A0010	CK, CH, CO, ST	0%	Yes	10	10	0	9	16	5	18	5	73
2	OR	Bremerton	Parish Creek Fish Passage Barrier Removal	\$2,266,000	\$6,266,000	15.0220 0.10	CK, CH, CO, ST	0%	Yes	10	0	10	9	20	5	13	5	72
3	OR	Thurston County	Green Cove Creek Fish Barrier Removal – Phase 1	\$3,190,000	\$9,456,000	13.0133 0.50	CH, CO, ST	0%	Yes	10	10	10	3	18	3	13	3	70
4	SW	Cowlitz County	Gilmore Road Studebaker Creek Fish Passage Project	\$3,500,000	\$12,956,000	1350256	CK, CH, CO, ST	33%	Yes	7	5	4	12	19	5	12	5	69
5	OR	Bainbridge Island	Fletcher Bay Road NE	\$4,112,659	\$17,068,659	15.0340 0.20	CK, CH, CO, ST	33%	Yes	7	10	10	7	14	5	10	5	68
6	SW	Wahkiakum County	East Fork Deep River Connectivity ar	\$3,544,000	\$20,612,659	934499 (2 culverts), 934498 (2 culverts), 934630	CK, CH, CO, ST	0%	Yes	10	10	8	11	10	5	2	5	61
7	SW	Cowlitz County	Delameter Road Fish Passage Project	\$6,800,000	\$27,412,659	106c0059, 106c0061	CK, CH, CO, ST	33%	Yes	7	0	4	9	17	5	13	5	60
8	OR	Kitsap County	Duncan Creek	\$2,785,000	\$30,197,659	15.0191 0.06	CK, CH, CO, ST	0%	Yes	10	10	4	3	12	5	11	5	60
9	NW	Seattle Public Utilities	Fauntleroy Creek Culvert/45th Ave SW	\$20,952,000	\$51,149,659	700197	CK, CO	0%	Yes	10	5	10	1	15	3	10	5	59
10	SW	Lewis County	Van Ornum Crk at Bunker Crk Rd	\$1,768,000	\$52,917,659	021(24034)(02386)	CO, ST	33%	Yes	7	10	10	1	8	2	15	5	58
11	OR	Kitsap County	Burley Creek at Spring Creek Road	\$4,236,000	\$57,153,659	936545	CO, ST	0%	Yes	10	0	4	4	16	2	15	5	56
12	NW	Everett	Olympic Boulevard Fish Barrier at Pigeon Creek No. 2	\$2,140,000	\$59,293,659	920589	CK, CH, CO, ST	0%	Yes	10	5	6	2	12	5	10	3	53
13	NW	Seattle Public Utilities	Fauntleroy Creek Culvert/California Ave SW	\$22,000,000	\$81,293,659	700198	CO	0%	Yes	10	0	10	2	14	1	10	5	52
14	OR	Tumwater	Somerset Hill Culvert Replacement	\$4,000,000	\$85,293,659	3410302	CK, CH, CO, ST	67%	Yes	3	0	4	7	10	5	13	5	47
15	OR	Kitsap County	Horizon Lane Culvert	\$2,660,000	\$87,953,659	996762	CO, ST	0%	No	10	0	4	2	13	2	10	5	46
16	NW	Ferndale	Main Street	\$2,200,000	\$90,153,659	920511	CO, ST	33%	Yes	7	10	2	1	4	2	0	0	26
Total				\$90,153,659	\$90,153,659													

Points of Discussion:

- Wahkiakum Co – includes Tidegate
- Fauntleroy – exceeds funding amount – WSDOT will not partially fund projects
- Kitsap Co – Ineligible
- Ferndale – Incomplete Application and fish use very limited / questionable

Options for Motion Language:

1. Move to nominate the complete list of prioritized projects that meet BAFBRB criteria to WSDOT Local Programs for PROTECT funding consideration (complete list minus single ineligible project).
2. Move to nominate the list of prioritized projects numbered 1-14 to WSDOT Local Programs for PROTECT funding consideration (complete list minus one ineligible project and one incomplete application).
3. Move to nominate the list of prioritized projects that meet BAFBRB criteria and fund the complete project amount to WSDOT Local Programs for PROTECT funding consideration (complete list minus single ineligible project and place the partial budget projects as alternates).

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.]



Brian Abbott Fish Barrier Removal Board Meeting
Tour Itinerary for April 26, 2024
Sites: Spurgeon Creek and Tolmie State Park

Time*	Location	Discussion
1:00 – 1:30 pm	Take vans from Capital Event Center to Latigo St. SE, Olympia	
1:30 – 2:30 pm	Spurgeon Creek (Map Linked Here) Address: 9198-9140 Latigo St SE, Olympia, WA 98513 Site 1 ID: 115 TC125 Site 2 ID: 341645	Presenters: Thurston County Staff; Julie Grobelny, WDFW
2:30 – 3:00 pm	Take vans to Tolmie State Park	
3:00 – 3:30 pm	Tolmie State Park (Map Linked Here) Address: 7730 61st Ave NE, Olympia, WA 98506 Site ID: 115 TC092	Presenters: Melissa Erkel, WDFW
3:30 – 4:00 pm	Return from sites to Capital Events Center and close the tour	

*Estimated time. Please plan on ending at 5pm.