

## Fish Passage Barrier Removal Board – Meeting Notes

Date: January 17, 2017

Place: Association of Washington Cities, Olympia, Washington

### Summary: Agenda items with formal action

Item	Formal Action
Meeting Notes - November	Approved
Use a Technical Review Team for future grant rounds; WDFW to develop proposal	Approved

### Summary: Follow-up actions

Item	Follow-up
Guidance on which portions of a project are fundable (passage vs. non-passage)	FBRB to develop guidance for applicability to future grant rounds
Listing of specific projects in Governor's budget rather than budget amount	Tom will work on this issue
Issue of Puget Sound and Coast not providing recommendations	Invite to a future meeting to provide their thoughts

### Board Members/Alternates Present:

Tom Jameson, Chair, WDFW	Steve Martin, Council of Regions
Paul Wagner, DOT	Dave Caudill, RCO
Joe Shramek, WDNR	Jon Brand, WSAC/Kitsap Co
Carl Schroeder, AWC	Gary Rowe, WSAC
Casey Baldwin, CCT	

### Others present at meeting:

Dave Collins, WDFW	Neil Aaland, Facilitator
Cade Roler, WDFW	Alison Hart, WDFW
Marian Berejikian, West Sound Watershed Co	Tom Ostrom, Suquamish Tribe
Casey Kramer, NHC/NPT	John Monahan, GeoEngineers

### Welcome/Introductions/Agenda Review

The meeting was called to order at 9:00 a.m. Neil reviewed the agenda.

### Acknowledgement of Brian Abbott

Board members shared their perspectives on Brian, who passed away in late December following heart transplant. Brian was a strong supporter of this Board and of its mission. At his memorial, Kaleen Cottingham (RCO Executive Director) announced legislation to rename this Board after Brian. Members asked that a resolution to recognize Brian be prepared for the next FBRB meeting.

**Public Comments:** No member of the public provided comment.

**Follow-up Items:** The Board approved the November meeting notes as submitted (Carl moved to accept them, Paul seconded – unanimous approval).

### Technical Review Team

Stacy presented a PowerPoint presentation on the topic. This has been raised at earlier FBRB meetings, and the Board wanted discussion on what this could look like. The idea of potential design standards was raised; Gary wants to be clear that this Board is not requiring specified standards, but noted that the Washington Administrative Code (WAC) includes some standards. Paul agreed that we need to clarify.

The Board was interested in the roles and responsibilities. Paul wondered if we should we look at broadening participation, and noted this was very WDFW-focused. He is thinking about a multi-disciplinary team that would include staff experienced in infrastructure and civil engineers. Dave Caudill explained that the current RCO TRT has two members go on site and review, then the whole team discusses a set of projects. Paul thinks other disciplines might be needed; for example, since barrier projects are almost all road crossings that we need that discipline covered. Dave thinks this could be covered by having someone on contract available.

It was noted that the TRT needs to avoid taking on the project sponsor's role; don't want to be managing their project. Dave suggested looking at RCO Manual 18 for further development of the TRT. Paul wonders if we need a flowchart mapping out our process, and think more about who does what in the process. Look to the SRFB process for fish passage projects for ideas.

Steve wondered if we ask the RCO to provide the TRT function for these projects; use the SRFB process. If that's on the same calendar, could be helpful. RCO has done fish barrier projects so they wouldn't need to add additional expertise. We'd need to address the budget implications. Gary expressed concern about "pre-grant" technical review and how to pay for that. Steve thinks it is important for WDFW to have the budget to provide the pre-grant review. Gary wondered about how to include Lead Entity expertise.

Stacy wonders about FBRB preference for project design – road abandonment, bridges, etc., and referenced the language from the injunction. She would like the bar to be high for projects, since these are voluntary.

Language for a motion was suggested: Approve use of a Technical Review Team for future grant rounds; WDFW is to develop a proposal based on today's discussion. Steve Martin moved to approve this motion; Jon Brand seconded. The motion was approved unanimously.

Paul thinks we need to understand the RCO process for a TRT, and suggested this be on the next meeting agenda. He would also like information on how much the RCO process costs. Other members agreed.

Stacy would like to see some discussion on fish passage standards and expectations. Gary thinks it would be nice to have review for projects not funded by the FBRB; many projects are funded by other sources. Paul thought that was a good point, and fits into the role of this Board. Stacy also wondered if the FBRB needs to have a statement of standards and experience. Dave noted that SRFB does not have that, they leave it to the sponsor.

### **Governor's Budget Request**

Tom Jameson introduced the topic. A list of 79 projects was submitted to OFM. The Governor's budget had a "by-name" list of 13 projects instead of a lump sum. The ramifications are unclear. It seems that if the funding is not spent on listed projects, we should ask for permission to go on to other not-funded projects. He noted that hard copy binders of the projects are available from Alison.

Stacy reviewed the 13 projects. The Board discussion turned to Chico Creek and Buford Creek. Tom Ostrom was present to answer questions about Chico Creek. Cade said it is important for the FBRB to provide guidance on what is fundable; what are the fish passage requirements? Steve said some elements of projects are required to implement a project, but aren't passage related; does the FBRB fund these elements? Paul thinks we need to consider this. Perhaps provide general guidance and have the TRT apply the guidance.

A future action of the FBRB should be to develop guidance on fish passage vs. non-fish passage pieces of proposals. We are not applying retroactively. Casey thinks that, at some point, some elements are not passage and are not eligible.

The Board discussed Buford Creek; Casey Kramer was present to answer questions. The Board had some questions about the different costs in the information; lower estimates in the notebook.

The Board discussed the budget and list issues. Paul thinks the FBRB should advise WDFW that we would like the funding to NOT be a list. We need to have flexibility, and there is concern about the specificity of the list in the Governor's budget. Tom believes they have enough direction from the FBRB to work on this issue.

Gary noted that he is advocating for the budget. We need to talk with DOT as well. Gary is organizing a brown-bag lunch briefing on this process for legislative staff. No date is set yet.

Stacy referenced the Johnson Creek project. Dave Collins said this package was put together and achieved meaningful connection through five projects. Casey said that this one partial barrier by itself would not appear to be a good investment; the original project was 5 barriers and the third and fourth barriers were the ones that would achieve the most biological benefit. Gary said this brings up issues of coordinating with other projects, and packaging of projects.

The 12:15 item on "issues of partial barriers" was removed from the agenda; already covered elsewhere.

#### **Next grant round: two pathways or one?**

This discussion began at the previous meeting. The last grant round had a "watershed" pathway and a "coordination" pathway. Are two pathways still needed for future grant rounds? Casey thinks it is too early to decide to abandon one pathway because we haven't even received funding for implementation of the package we put together. Jon agreed, thinking we need to let this to play out further. Gary suggested we really have three pathways at this point: watershed, coordinated, and Puget Sound/Coast. For Puget Sound and the Coast, the FBRB had to identify high value process. He saw some value in this process; didn't get the same level of information from the other two processes.

Tom is wondering about opening just the coordinated approach next time. Casey thinks if we're only getting legislative funding for 1/3 of the projects, it may not be worth it to re-open because there are still a lot of high priority barriers on our original list. Stacy said her concern is if the opening is only a brief one; she would like to offer more time to develop. Not opening at all would result in missing some good projects. Gary noted that we must get a solution to the Puget Sound/Coast lack of priorities. Gary suggested inviting those representatives to an FBRB meeting and have them provide their perspectives.

Dave Caudill said the SRFB does not carry forward unfunded projects for future grant rounds; they can re-apply if they like. Paul agrees that opening for coordinated pathway was short. He wonders if we should refresh the coordinated pathway later this year. This could include "flushing" projects from last time unless they notify us they'd like the projects to stay in. Casey said it would not make sense to redo the watershed pathway approach. We should consider the 17-19 biennium as phase 1 and at this rate it will take 6 years to implement our first round of watershed pathway nominations. We should not let the politics and funding limitations change our strategy. The legislature asked us to develop a strategy and we did that, it is not our fault if the Governor and Legislature decided not to fully implement what they asked us to develop.

Further conversation on this topic will be needed. Gary reminded the Board that we did not get many urban projects last time.

#### **Next steps:**

- Tom has contacted Jennifer McIntyre, Washington Stormwater Center, to attend the February meeting and brief the Board on her work

- Legislature update will be a topic for the next few agendas
- Gary suggested an update on the FBRB workplan
- Neil noted that the general PowerPoint will be available soon; Tom said WDFW is producing a video that should be available soon as well

The meeting adjourned at approximately 2:00 pm.

**Next meeting: Tentatively Tuesday, February 21 @ Association of Washington Cities.**