



Meeting handouts

October 19, 2021

General updates

- Nelson dam slides

Presentation on National Culvert Removal, Replacement, and Restoration Grant Program

- Presentation slides

Project cost increase requests

- Revised cost increase course of action

Subcommittee Membership and Engagement

- Subcommittee slides

Nelson Dam, Yakima WA

FBRB Project Ranked #1 on 21-23 List

Sponsor City of Yakima, Grant Amount \$4,134,000

Dam Removal Started Monday, 18 OCT 21



National Culvert Removal, Replacement, and Restoration Grant Program

Margen Carlson, Habitat Program Director
Meagan West, Federal Policy Coordinator



Background

- Effort spearheaded by Senator Cantwell & Congressman Kilmer
- \$1B included for the program in the Bipartisan Infrastructure Framework bill
- \$200M annually over a 5-year period from FFY2022 through FFY2026
- However, annual authorization is \$800M allowing for appropriation of additional federal funds
- Non-federal match is at least 20 percent



Overview

- Program established within DOT
 - DOT Secretary, in consultation with the Undersecretary of Commerce for Oceans and Atmosphere, will create the competitive grant program
- Purpose is to meaningfully improve or restore passage for *anadromous* fish
- Eligible entities include States, Local Governments & Tribes
- The Secretary, in consultation with the Undersecretary and Director of Fish and Wildlife, shall establish a process for determining criteria for awarding grants



Congressional Direction for Prioritization

- Projects that would improve fish passage for:
 - Anadromous fish stocks listed as an endangered or a threatened species under section 4 of the ESA
 - Anadromous fish stocks identified by the Undersecretary or the Director that could reasonably become listed as an endangered species or a threatened species under that section
 - Anadromous fish stocks identified by the Undersecretary or the Director as prey for endangered species, threatened species, or protected species, including Southern resident orcas
 - Anadromous fish stocks identified by the Undersecretary or the Director as climate resilient stocks
- Projects that would open up more than 200 meters of upstream habitat before the end of the natural habitat



Considerations

- Maximizing Benefit to Fish
- Setting Washington up for Success
- Approaches to Applying



Questions?



Draft FBRB Cost Increase Guidance (Revised 10-15-2021)

Context and Guidance for Project Sponsors and Applicants:

1. The FBRB does not receive additional funds from the legislature for cost increases. As a result, there is no dedicated funding source for cost increase requests which limits opportunities for cost increases. (See FBRB Manual 22, pg. 25).
2. Create construction budgets based on construction year and not on current year costs, plan for increased costs, and develop your budget accordingly.
3. Seek early bids to secure a contractor and get under contract to provide budget certainty by locking in costs.
4. Do not delay project construction as this could lead to increased costs.
5. Get projects under construction in timely manner so that unknown potential costs can be identified early. Cost increases will likely be more readily available for the earliest requests.
6. Regular communication with your grant manager is important to identify and convey potential issues that could necessitate a cost increase.

Cost Increase Process:

1. Cost increases are considered based on available funding and on a first come first served basis.
2. After prior communication with the grant manager (GM) and TRT member assigned to the project, the project sponsor submits a cost increase request form.
3. The project sponsor discusses their need for a cost increase with their grant manager and TRT biologist then submits their request to RCO for consideration.
4. Grant manager prepares cost-increase request and submits to Board Chair based on the guidance above.
 - a. If the requested amount is less than \$100k or 10%, the Board Chair can approve the request with Vice-Chair, TRT, and GM support.
 - b. If the cost is greater than \$100k or 10%, it will require Board approval. The request will first go to Cost-increase Subcommittee and the Subcommittee will make a recommendation to the full Board once the request is submitted.
5. Cost-increase Subcommittee convenes and uses the cost increase evaluation criteria to evaluate the request.
 - a. The Subcommittee includes the chair and/or vice-chair, the GM, members of the TRT, and two to three Board members. Participation by the project sponsor and subcontractors may be required.
6. The full Board will consider the cost increase request and Subcommittee recommendation to formally approve or reject the request.

Cost Increase Evaluation Criteria

1. The Subcommittee and Board will use the following guidance to consider cost increase requests:
 - a. Cost Constraints:
 - i. Is there adequate unallocated funding available to fill the request? If not, then the request is denied, or partial funding can be offered.

**FBRB Cost Increase Strategy Subgroup Meeting COA Recommendations
(Revised v.10.15.21)**

- ii. Does it exceed cost cap? Evaluate of the amount requested against the initial estimate and implement a percentage cap on requests (<50% of initial estimate and/or % of total available for all cost increases). If the request is above this cap, the project sponsor needs to consider alternative sources of funding or return for the next grant round to request additional funding as needed.
 - b. Technical Merit:
 - i. Is the cost increase supported by TRT and/or Grant Manager?
 - ii. Does the cost increase impact the cost-benefit analysis of the project?
 - iii. What is the nature and circumstances of the request? Is it situational, an underestimation of project costs, or is it an emergency request?
 - iv. What are the ramifications of denying the cost increase request?
 - c. Phasing or Scaling Options:
 - i. Can the project be phased or scaled?
 - ii. Is the project in design stage or under construction? Priority will be given for construction projects and/or time sensitive needs.
2. A recommendation will be made to the full Board from the Subcommittee with summary supporting justification.

FBRB Subcommittees: September Meeting Decision



Purpose:

To discuss, review and tee-up policy and procedures for Board decisions



Topics:

Policy issues include topics identified by the Board

How to handle project cost increases

Barriers not included in RCWs (e.g., tide gates, off-road barriers)

Proviso Statewide Strategy and outcomes

New arising issues



Guidelines:

Board members will meet and have work sessions as requested by the Board

Board members will discuss policy issues and bring back recommendations to the full Board for decisions

Subcommittees will consist of four Board members or less



Next Steps:

The Board recommended developing two subcommittees:

- A Proviso subcommittee focused on the Proviso and Statewide Strategy
- A pop-up policy subcommittee to address policy issues when they arise

Board support staff will send out a poll to Board gage interest these subcommittees

FBRB Subcommittee Proposed Structure

