Brian Abbott

Brain Abbott was a tireless and outspoken advocate of salmon recovery and environmental stewardship in Washington. His dedication paved the way for the creation of the Fish Passage Barrier Removal Board.

As executive director of the Governor’s Salmon Recovery Office, he fundamentally changed how Washington State managed its salmon recovery efforts. He spearheaded the formation of the Salmon Recovery Network to get all the participants in salmon recovery together so they could speak with one voice and he initiated the first salmon recovery conference so grant recipients could share best practices. Before coming to the Governor’s Salmon Recovery Office, he led the Salmon Recovery Funding Board’s grant management staff and was the manager of the Pierce Conservation District. Early in his career, Brian helped create the Kennedy Creek Salmon Trail in Thurston County, where a countless number of school children visit every year to see salmon return home.

Throughout his life, both personally and professionally, Brian advocated for salmon recovery. Family and friends often joked that he saved the salmon during the week, so he could catch them on the weekend.

December 31, 1968- December 31, 2016
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Section 1: Introduction

In this section, you’ll learn about:

☑ The grant program
☑ This manual
☑ Where to get information
☑ Technical Review Team

About the Fish Barrier Removal Board Grant Program

The Legislature established the grant program of the Brian Abbott Fish Passage Barrier Removal Board (FBRB) in 2014 to assist in identifying and removing impediments to salmonid fish passage.¹ All FBRB-funded grant projects shall match the principles provided in Revised Code of Washington 77.95.180 and are reviewed and approved by the FBRB. The grant program is administered jointly by the Washington Department of Fish and Wildlife (WDFW) and the Recreation and Conservation Office (RCO).

The role of the FBRB is to adopt governing policies (funding strategies, project eligibility, match requirements, etc.), set project evaluation criteria, review project scoring and recommendations from the FBRB Technical Review Team, and approve a project priority list to be submitted to the Governor’s Office and the Legislature for funding consideration.

The FBRB Grant Program has the following two separate funding strategies:

- Watershed Pathway
- Coordinated Pathway

¹Chapters 77.95.160 and 77.95.170 of the Revised Codes of Washington
Section 1: Introduction

Watershed Pathway

The Watershed Pathway approach is to prioritize barrier repairs in whole stream reaches and subbasins that will have the largest benefit to salmon at a population scale. During the 2015-17 biennium, the FBRB asked the salmon recovery regions to nominate priority watersheds in their areas where fish passage is a significant limiting factor for salmon recovery. The FBRB received nominations from the Snake, upper Columbia, middle Columbia, and lower Columbia recovery regions. The Puget Sound and Washington coast recovery regions submitted watersheds but did not prioritize them. Therefore, the FBRB selected priority watersheds in these regions based on technical analysis and recommendation by WDFW.

Appendix A shows the FBRB-approved priority watersheds for the Watershed Pathway. Throughout the 2015-17 biennium, WDFW worked with the salmon recovery regions and lead entities in each of the priority watersheds to develop lists of priority fish passage barriers, which were submitted and approved by the FBRB. The FBRB expects the Watershed Pathway participants to continue implementing projects from their approved and prioritized lists in future grant rounds. If lead entities or salmon recovery regions want to propose new projects in their priority watersheds that are not included in the FBRB-approved lists, or to change their priority watersheds, they must work with their WDFW fish passage biologists to get FBRB approval.

Coordinated Pathway

The Coordinated Pathway approach is to leverage other fish passage investments made by the Washington Department of Transportation, forest industry, local governments, and other entities by funding barrier repairs near or in coordination with these other fish passage projects. This strategy targets high value fish passage projects statewide. Previously submitted Coordinated Pathway projects are not retained between grant rounds. Each grant round is a new, open solicitation of projects that will be evaluated and scored against each other. Scoring criteria for submitted projects is subject to change in future biennia depending on FBRB priorities. The scoring criteria will be included in the Request for Applications.

About this Manual

The purpose for this manual is to:

- Provide implementation guidance for 2017-2019 FBRB-funded projects.
- Provide information on the FBRB grant application process for the 2019-2021 biennium.
This manual provides basic information on how to apply for FBRB Grant Program funds, the project evaluation and scoring process, and an overview of the WDFW and RCO roles in the program. This manual also outlines the primary responsibilities of the program’s grant recipients and explains how additional information and assistance may be obtained. This manual uses and references several other RCO grant materials and procedures. All materials are available electronically on the RCO Web site and the FBRB Web site. To obtain more information or attend a funded project workshop please contact RCO or WDFW staff listed below.

The FBRB Grant Program Operations Manual will be reviewed and updated biennially or as needed.

**Definitions**

For definitions of terms used in this manual, see a sample Project Agreement.

**Where to Get Information**

**About RCO**

RCO supports the Recreation and Conservation Funding Board and the Salmon Recovery Funding Board. RCO is a state agency that administers multiple grant programs to create outdoor recreation opportunities, protect the best of the state’s wildlife habitat and working farms and forests, and help recover salmon populations.

**About WDFW**

WDFW’s mission is to preserve, protect, and perpetuate fish, wildlife, and ecosystems while providing sustainable fish and wildlife recreational and commercial opportunities. The FBRB work is under the Fish Passage and Screening Division of the Habitat Program.

**Staff Contacts**

**RCO**

Natural Resources Building
1111 Washington Street S.E.
Olympia, WA 98501
Telephone: (360) 902-3000
FAX: (360) 902-3026
TTY: (360) 902-1996
E-mail: info@rco.wa.gov
Web site

**Mailing Address**

PO Box 40917
Olympia, WA 98504-0917
Section 1: Introduction

RCO grants managers are available to assist by answering questions concerning the information contained in this manual. Please feel free to call or e-mail. Please visit the Salmon Grants Manager Map to find each grants managers’ assigned areas.

**WDFW**
Natural Resources Building
1111 Washington Street S.E.
Olympia, WA 98501
Telephone: (360) 902-2534
FAX: (360) 902-2946
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1111 Washington Street S.E. FAX: (360) 902-2946
Olympia, WA 98501 TTY: (800) 833-6388
E-mail: fbrb@dfw.wa.gov Web site

Fish Passage and Screening Division staff are available to assist by answering questions concerning the FBRB grant process, policies and procedures, as well as the information contained in this manual. Please visit the WDFW Fish Passage contact page to find WDFW Fish Passage staff.

**Other Grant Manuals You May Need**

The FBRB Grant Program uses RCO’s salmon grant framework and references several other RCO manuals. Visit RCO’s Web site to obtain copies of these publications.

- **Manual 5, Restoration Projects**—This manual provides basic information on restoration projects funded through the RCO. Restoration projects generally create, reestablish, or enhance habitat by bringing it back to healthy, self-sustaining conditions.

- **Manual 7, Long-Term Obligations**—This manual provides basic information and policies for projects funded by grants through RCO. The policies apply to grant recipients of all grant programs, current and past, including Family Forest Fish Passage Program, Estuary and Salmon Restoration Program, Fish Barrier Removal Board, and Salmon Recovery.

- **Manual 8, Reimbursements**—This manual provides general guidance for requesting reimbursements including allowable project costs, how to bill RCO, getting paid, and other requirements.

- **Manual 18, Salmon Grants**—This manual was created under the authority granted to the Salmon Recovery Funding Board and the policies of the board and RCO. This manual provides basic information on all aspects of the salmon grant program.
Resource Materials

RCO and WDFW have other publications to explain this program including: the following

- Brochure that describes the program
- Fact sheet about the program
- Request for Applications

Visit the RCO Web site or the WDFW Web site to obtain additional program information and application materials.

Project sponsors are encouraged to review the Washington State Office of Financial Management capital budget instructions.

Workshops

Of particular importance to those awarded funding are RCO’s Successful Applicant Workshops. The Successful Applicant Workshop is posted on the RCO Web site to view at any time. In these workshops, participants receive important information on the following:

- Project sponsor responsibilities, including compliance with the project agreement and project match requirements.
- Amendments to the agreement including project changes, time extensions, and cost increases.
- Fish passage projects including construction plans, design requirements, and match
- Project implementation including billings, milestones, progress reports, inspections, long-term compliance, etc.

Technical Review Team

The FBRB Technical Review Team is composed of fish passage experts with extensive knowledge in fish passage design and construction, biology, and permitting. The team will provide technical assistance to grant applicants developing projects during open solicitation, will evaluate and score submitted applications, and will review project designs of funded projects as they move to implementation. The team ensures that proposed projects meet the required fish passage design criteria in Washington Administrative Code 220-660-190, the recommendations of the Water Crossing Design Guidelines, and the expectations of the FBRB grant program.
The Technical Review Team will consist of the following core members:

- WDFW fish passage biologist
- WDFW habitat engineer
- WDFW FBRB program manager
- Other expertise or disciplines will be consulted if needed (such as a geomorphologist or civil and transportation engineers)
- Local representatives and stakeholders (such as lead entities, tribes, restoration groups) may be asked to volunteer

The **WDFW fish passage biologist** will be the primary team contact for the grant applicant during the draft application phase including project prioritization, development, and scoping. The fish passage biologist will coordinate with the other team members accordingly. The biologist will be the statewide FBRB program representative assigned to specific salmon recovery regions. (Note: after the grant application submission deadline, the RCO grants manager will be the primary point of contact for grant recipients).

The **WDFW habitat engineer** will provide technical design review and assistance for the proposed and funded projects to ensure the projects meet fish passage design criteria and recommendations from the 2013 Water Crossing Design Guidelines. The engineer also may provide design alternative suggestions, cost estimates, and other technical support to the grant applicant and recipient.

The **WDFW FBRB program manager** will provide general support and guidance for team members and help ensure statewide consistency and success in meeting programmatic expectations. The manager also will be the lead liaison between the WDFW Fish Passage Division, RCO, and the FBRB, including program reporting and overseeing implementation of FBRB policies.

The **RCO grants manager** will administer all the FBRB project agreements. This person’s inclusion in the team will help facilitate a better understanding of the funded projects being administered and overall program communication and success. Additionally, this person will facilitate clear and open communication with the project sponsors, team members, program managers, and other invested stakeholders throughout the application and implementation processes. The RCO grants manager will be the primary point of contact during the final application development and during project implementation and completion.
Section 2: Application Information

In this section, you’ll learn about:

✓ How to apply
✓ Eligible fish passage projects
✓ Eligible project owners
✓ Landowner Acknowledgement
✓ State-owned Aquatic Lands
✓ Project scoring and evaluation
✓ State fish passage design criteria
✓ Match requirements
✓ Schedule
✓ Funded projects

How to Apply

The FBRB will solicit Watershed Pathway and Coordinated Pathway projects biennially (generally in February of even-numbered years). Proponents of high priority projects will be invited to submit application materials into PRISM, RCO’s online grant management system where people apply for grants, review and manage information on funded grants, and produce reports about projects.

Watershed Pathway Request for Applications

The lead entities and salmon recovery regions of the FBRB-approved priority watersheds in the Watershed Pathway (Appendix A) will receive notification when applications will be accepted in PRISM. The FBRB anticipates that applications will be submitted for the high priority projects that were identified in each Watershed Pathway watershed and approved by the FBRB in the 2015-17 biennium. The WDFW fish passage biologist will continue to work closely with the local watershed groups throughout the project development and submittal process to provide technical assistance to ensure well-vetted projects. The RCO grants manager will provide technical assistance to ensure complete applications.
If lead entities or salmon recovery regions want to propose projects that were not included in the FBRB-approved 2015-17 list, they must work with their WDFW fish passage biologist to get FBRB approval before submittal.

If lead entities or salmon recovery regions want to change their FBRB-approved priority watersheds, they must work with their WDFW fish passage biologist to get FBRB approval before submittal.

Coordinated Pathway Request for Applications

A separate solicitation for applications will be issued statewide to solicit high value fish passage projects that are outside of a FBRB-approved priority watershed (Appendix A) and are in coordination with other fish barrier removal projects.

The Coordinated Pathway will include a draft application phase for FBRB Technical Review Team review. The review team will select which draft applications will move forward to a final application submittal.

Once selected to submit final applications, project sponsors will enter and submit the final application materials in PRISM.

The Request for Applications will include information on the following:

- Instructions–information about when and how to submit the draft application and final application, including minimum requirements
- Submission requirements including links to required forms
- Timeline highlighting specific dates you’ll need to know
- Project evaluation and scoring criteria–how the Technical Review Team will evaluate and score your project and make recommendations to the FBRB for approval
- Approval process–how the FBRB and RCO will finalize the funding request to the Governor and Legislature
- Contact information–who to contact for assistance

Eligible Fish Passage Projects

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 2009 Fish Passage Barrier and Surface Water Diversion Screening Assessment and Prioritization Manual. Partial or complete fish passage barriers are both eligible.
Per Revised Code of Washington 77.95.160, the duty of the FBRB is to identify and expedite the removal of impediments to anadromous fish that are caused by state and local roads and highways, and barriers owned by private parties.

An FBRB grant application may be for either of two project types: planning or restoration. Planning projects are funded for final design only. Restoration projects are funded for construction. Funding for restoration projects also may include funding for final designs. Note: If the total requested amount for a restoration project is greater than $500,000, then recently completed preliminary-level designs are required to be submitted with the final application. The person or team completing the preliminary project design is required to include at least one licensed professional engineer with experience in fish passage restoration.

See Appendix C-2 for preliminary design deliverables and Appendix C-3 for final design deliverables. Final design deliverables must be completed and stamped by a licensed professional engineer.

It is not the intent of the FBRB Grant Program to fund mitigation obligations.

If you have a question about project eligibility, please contact your RCO grants manager or WDFW fish passage biologist staff.

**Eligible Project Owners**

Eligible fish passage barrier owners include private landowners, local governments (cities, counties), Native American Tribes, nonprofit organizations, regional fisheries enhancement groups, special purpose districts, and state agencies. Small forest landowners (who harvest less than 2 million board feet of timber each year) are eligible, but are encouraged to correct their barriers through the Family Forest Fish Passage Program.

Ineligible fish passage barrier owners include federal agencies (U.S. Forest Service, Bureau of Land Management, Bureau of Reclamation, National Park Service, etc.) as well as large forest landowners who are required to fix their fish passage barriers through the Department of Natural Resources’ Road Maintenance and Abandonment Plan (RMAP) program under the State Forest Practices Rules.³ Although large forest landowners are not eligible for FBRB funding, coordination with these entities is strongly encouraged.

A FBRB grant applicant can be the landowner where the fish passage barrier exists or a third-party organization. If landowners do not have extensive knowledge in implementing fish passage projects, they are strongly encouraged to use a third-party organization. WDFW and RCO staff can help landowners find a third-party organization,

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³Revised Code of Washington 76.09
which often are regional fisheries enhancement groups, conservation districts, local governments, tribes, and nonprofit organizations involved in salmon recovery.

**Landowner Acknowledgement**

A Landowner Acknowledgement Form (Appendix G) is required when a project occurs on land not owned by the grant recipient (including publicly owned property). Once funded, landowner agreements (Appendix E) are required before beginning construction on private land or land not owned by the grant recipient. Note that projects on state-owned aquatic or trust lands require approval from the Washington Department of Natural Resources. See below.

**State-owned Aquatic Lands**

During the application process, applicants should consult with the Washington Department of Natural Resources to determine if the project is on state-owned aquatic lands. All marine waters are, by definition, navigable, as are portions of rivers influenced by tides. Navigable rivers and lakes are those determined by the judiciary, those bounded by meander lines, or those that could have been used for commerce at the time of statehood. The Department of Natural Resources’ aquatic land managers will help determine if the project is on state-owned aquatic lands and provide more information on the department’s authorization process. See the [land manager coverage map](#) online for the contact information of the department’s aquatics land manager in the area.

The Department of Natural Resources will review the full list of projects proposed for funding to ensure that all applicants proposing projects on state-owned aquatic lands have consulted with the Department of Natural Resources and submitted a Landowner Acknowledgement Form.

Once the grant is funded, the Department of Natural Resources will work with the grant recipient on a potential authorization to use state-owned aquatic lands. This authorization may be a lease, an easement, or a right of entry. Whatever the form, the authorization is not a permit but a contract to use the land. The Department of Natural Resources is not a regulatory agency. The agency represents the owner of the land, the State of Washington, so the grant recipient relationship with the department will be like any landowner impacted by the project. To apply for an authorization, complete the [Joint Aquatic Resources Permit Application (JARPA)](#) and JARPA Attachment E and forward the entire application to the Department of Natural Resources. It is best to submit the application early in the process so the Department of Natural Resources can work to address any design issues early.
Please note that the project also may occur on trust lands managed by the Department of Natural Resources, which will require the sponsor to work with other divisions in the agency.

**Project Scoring Criteria and Evaluation Process**

The FBRB Technical Review Team reviews the proposed project applications submitted through both the Coordinated Pathway and Watershed Pathway and ensures that the projects create actual benefits to salmon, have costs that do not outweigh the anticipated benefits, and have a high likelihood of being successful. To do so, team members review project applications, visit project sites, and provide feedback to grant applicants. Technical feedback provided by the team is designed to improve project concepts and overall benefits to fish and to achieve the greatest results for FBRB dollars invested.

The FBRB Grant Program will base its funding recommendations on the founding principles outlined in Revised Code of Washington 77.95.180 and the following general categories:

- Ecological and biological impact to restoring fish populations
- Technical merit and project readiness
- Project cost justification
- Project coordination with other fish passage barrier removal projects

The FBRB will open a solicitation for Coordinated Pathway projects in February of even-numbered years. The TRT will evaluate and score project draft applications based on the criteria described in the Request for Applications. Evaluation criteria may include: habitat quality, linear habitat gain, absence of downstream barriers, project readiness (design level, permits, sponsor capacity, matching funds, etc.), priority in approved recovery plan, barrier severity, number of anadromous species, stock status, level of coordination with other fish passage projects, proposed design, and project cost.

The submitted Coordinated Pathway projects will be reviewed and scored separately from the Watershed Pathway projects. The FBRB will review the Technical Review Team’s scoring recommendations and may make changes before giving final approval. The FBRB also will merge the top-ranking Coordinated Pathway and Watershed Pathway projects into one prioritized funding request for submission to the Legislature.
State Fish Passage Criteria

FBRB-funded barrier corrections must meet state fish passage criteria. The 2013 Water Crossing Design Guidelines provides practical, real-world knowledge and techniques to improve the overall success of water crossings. These guidelines do not replace existing regulatory requirements, though they are designed in part as technical guidance supporting regulatory streamlining and grant application review for fish passage projects. The guidelines discuss the geomorphic approach to water crossing design and several design options. The preference of the FBRB is for fish barriers to be repaired by abandonment, a bridge, or a stream simulation culvert. Chapter 4 of the guidelines provides guidance on bridge design, and Chapter 3 provides guidance on the stream simulation design option.

- **Stream Simulation Design Option**—geomorphic approach involves building an artificial stream channel inside the culvert, which provides passage for any fish migrating through the reach. This option is assumed to be satisfactory for adult and juvenile fish passage and tends to be used more frequently at sites where juvenile fish passage is required.

In rare and extraordinary circumstances where site constraints rule out abandonment, a bridge, or a stream simulation culvert, the FBRB may consider the following no-slope or hydraulic design options:

- **No-slope Design Option**—generally limited to small, low gradient streams. The culvert must be installed at zero gradient and be countersunk, and the diameter of the culvert must be at least bank-full width of the channel. There is typically less engineering analysis with this design option, which is compensated with a safety factor in this sizing method.

- **Hydraulic Design Option**—requires hydrologic and open channel calculations, but usually results in smaller culverts being required than the no-slope design option or a roughened channel. It is difficult in most situations, if not impossible, to comply with velocity criteria for juvenile fish passage using the hydraulic design option.

Match Requirements

For restoration (i.e. construction) projects, a minimum of 15 percent match of the grant award is required. For planning (i.e. design-only) projects, match is not required if the funding request is less than or equal to $200,000 and final designs are completed within 18 months of funding approval; time extensions are not allowed. If the funding request for a planning project is greater than $200,000, then 15 percent match of the grant award is required and final designs must be completed within 2 years; time extension requests may be considered.
Matching resources may include cash, bond funds, grants (unless prohibited by the funding authority), in-kind labor, equipment, and materials. See Manual 8, Reimbursements for information on match and reimbursements.

Funds from other grant programs, Salmon Recovery Funding Board, Estuary and Salmon Restoration Program, etc.) administered by RCO may be used as match; however, the grant recipient must have some level of local match.

### Schedule

Note: Dates are estimated and occur in even-numbered years. See Request for Applications for exact dates.

<table>
<thead>
<tr>
<th>TASK</th>
<th>DATE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Request for Applications</td>
<td>February</td>
<td>Publication of FBRB Coordinated Pathway Request for Applications. Note: changes to priority projects in Watershed Pathway are sent directly to WDFW fish passage biologist for consideration by the FBRB as described in Section 1.</td>
</tr>
<tr>
<td>Draft applications due (Coordinated Pathway only)</td>
<td>March</td>
<td>See draft application process steps and criteria in Request for Applications. Draft application materials submitted via e-mail to <a href="mailto:FBRB@dfw.wa.gov">FBRB@dfw.wa.gov</a>.</td>
</tr>
<tr>
<td>FBRB reviews draft applications</td>
<td>April-May</td>
<td>Initial review of draft applications by Technical Review Team and FBRB for eligibility and potential benefits to anadromous salmonids.</td>
</tr>
<tr>
<td>Invitation to submit final applications</td>
<td>June</td>
<td>Proponents of high priority projects are invited to submit a final application.</td>
</tr>
<tr>
<td>Final applications due</td>
<td>July</td>
<td>See application process steps and criteria in Request for Applications. Final application materials submitted via PRISM.</td>
</tr>
<tr>
<td>FBRB reviews final applications</td>
<td>July-August</td>
<td>Projects reviewed, ranked, and approved by the Technical Review Team and FBRB.</td>
</tr>
<tr>
<td>FBRB project request submitted</td>
<td>September</td>
<td>Ranked project list and funding recommendations published and submitted to the Legislature.</td>
</tr>
<tr>
<td>Funding notification</td>
<td>TBD</td>
<td>Funding notification dependent upon final 2019-2021 state budget, expected July 1, 2019.</td>
</tr>
</tbody>
</table>
Funded Projects

For restoration (i.e. construction) projects, grant recipients have 3 years from date the Legislature approves the funding (typically July 1 of odd-numbered years) to complete the project. For planning (i.e. design-only) projects with no match, grant recipients have 18 months to complete the project if the funding request is less than or equal to $200,000; if the funding request is greater than $200,000, then grant recipients have 2 years to complete the project. Note: Final design deliverables must be completed and stamped by a licensed professional engineer.

To extend a deadline, the grant recipient must submit a request in writing to the RCO grants manager or through a PRISM Progress Report that details the reason for the request. The RCO grants manager then will trigger the amendment review and approval process in Appendix D: FBRB Amendment Request Authority Matrix. Once the amendment is approved or rejected, the grant recipient will receive written notice from the RCO grants manager. Note: time extensions are not allowed for planning projects less than or equal to $200,000 if no match is provided, as described in the match requirements section.

The grant recipient will be required to provide the following information during the life of the grant:

During Draft Application Cycle

Brian Abbott Fish Barrier Removal Board Draft Application Materials

- Barrier Evaluation Form
- Expanded Barrier Evaluation Form
- Maps of worksite or planning area
- A general location map
- Landowner Acknowledgement Form (Appendix G)
- Photographs
- Responses to FBRB Draft Application Questions

During Final Application Cycle

- PRISM application
- Cost Estimate
Section 2: Application Information

- Map of project’s Area of Potential Effect
- Design documents (required for restoration projects greater than $500,000)
- Correction Analysis Form
- Application Authorization Form
- Responses to FBRB Final Application Questions

Preparing for a Project Agreement

- Landowner agreement (Appendix K)
- Milestone worksheet and dates

During the Active Phase of the Agreement

- Project agreement signed before starting construction
- Progress reports in PRISM as outlined in project agreement milestones
- Final report submitted in PRISM
- Cultural resources documentation
- Annual billing
Section 3: Pre-Construction

In this section, you’ll learn about:

- Project agreement
- Landowner agreement
- Progress reports
- Project design review
- Permits
- Cultural resources

Project Agreement

RCO and the grant recipient, now called a project sponsor, must sign a project agreement after grants are awarded and before work can begin. RCO has a Successful Applicant workshop online for sponsors to explain the project agreement, amendments to the agreement, and the reimbursement process. A sample project agreement can be found on the RCO Web site. Project applicants should review carefully the terms and conditions of the project agreement.

Key Project Agreement Terms

The purpose of the project agreement is to protect the state’s investment and outline the responsibilities of the state and the sponsor. The agreement also includes key milestone dates for the project’s implementation. The project agreement is used in other RCO salmon recovery grant programs. Below are key sections of the project agreement.

- **Performance by the sponsor:** The sponsor is undertaking the responsibility for the project and must complete all elements as identified in the application materials.

- **Assignment:** The sponsor may not transfer or assign the contract without prior approval (per Appendix D: FBRB Amendment Request Authority Matrix).

- **Responsibility for project:** The project remains the sole responsibility of the sponsor.
• **Indemnification:** The sponsor must indemnify, defend, and hold harmless the State and its agencies, officials, agents, and employees for this project.

• **Compliance with applicable law:** The sponsor will implement the project agreement in accordance with applicable federal, state, and local laws and regulations.

• **Right of inspection:** The sponsor shall provide access to the facilities in accordance with the project agreement and/or landowner agreement.

• **Procurement requirements (Section 16 of the project agreement):** If sponsors have a procurement process that follows applicable state and/or federal procurement principles, it must be followed. If no such process exists, the sponsor must follow all of these minimum procedures:
  
  o Publish a notice to the public requesting bids/applications for the project.
  
  o Specify in the notice the date for submittal bids/applications.
  
  o Specify in the notice the general procedure and criteria for selection.
  
  o Comply with the same legal standards regarding unlawful discrimination based upon race, ethnicity, sex, or sexual orientation that are applicable to state agencies in selecting a bidder or proposer.

See [Washington State Department of Enterprise Services Web site](http://www.gov.wa.us) for more information on contracting and procurement requirements.

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**Landowner Agreement**

If the project sponsor is a third-party organization and not the landowner, a landowner agreement must be signed between the landowner and the sponsor to protect the state’s investment in removing barriers to fish. Landowner agreements must be in effect for at least 10 years after the completion of the project. A landowner agreement form in Appendix K.

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**Progress Report**

Project sponsors are required to submit progress reports on project implementation in PRISM. Due dates are set in the project agreement milestone dates. A minimum of two progress reports are required each year.
Project Design Review

The project sponsor will submit design deliverables to RCO via PRISM, as described in their project agreement milestones. This will trigger a Technical Review Team review and commenting period for the submitted design plans. The project sponsor also should submit a set of permit ready designs to all required permitting agencies for review. Note: Final design deliverables must be completed and stamped by a licensed professional engineer.

The Technical Review Team will meet with the project sponsor at the site to discuss project alternatives and confirm preferred alternatives. The Technical Review Team will review project design deliverables at conceptual, preliminary, and final design levels as described in Appendix C. For construction projects, the team also will review construction design-level deliverables. The Technical Review Team will review and submit design comments to the RCO grants manager and project sponsor within a reasonable and agreed upon amount of time from receiving the design plans. The Technical Review Team may request additional design review for more complicated or controversial projects.

The preliminary design level reviews will include examinations of the cost estimates. If the project sponsor thinks there is not enough money for construction, this is the time to contact the RCO grants manager to request an amendment. See “Amendments and Cost Increases” in Section 4.

See Appendix C: Fish Passage Project Design Deliverables for guidance on the specific design deliverables required for conceptual, preliminary, final, and construction designs.

Permits

The project sponsor is responsible for early project coordination with the WDFW area habitat biologist, who will facilitate a streamlined WDFW Hydraulic Project Approval permitting process. To identify the biologists in your area, visit the WDFW Assistance Map.

FBRB-funded projects likely will qualify under state law as fish habitat enhancement projects, which exempts them from the State Environmental Policy Act requirements and all local government permits and fees. To apply for a streamlined permit process, submit a completed Fish Habitat Enhancement Project Form and required attachments with the Joint Aquatic Resources Permit Application as indicated on the Fish Habitat Enhancement Project Form.

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3Revised Code of Washington 77.55.181
The sponsor is responsible for obtaining all necessary permits for the project and is strongly encouraged to work with the necessary regulatory authorities during the early stages of project development.

The [U.S. Army Corps of Engineers Regulatory Branch Web page](https://www.usace.army.mil) has information on how to navigate through the Corps’ permitting process including permit application, drawing requirements, and Endangered Species Act resources. See the [Final Seattle District 2017 Nationwide Permit Regional Conditions](https://www.usace.army.mil/) for the criteria and requirements for water crossing projects to be eligible under the 2017 nationwide permit.

### Cultural Resources

[Governor’s Executive Order 05-05](https://www.govenor.wa.gov/executive-order-05-05), Archaeological and Cultural Resources, directs state agencies to review certain acquisition and construction projects for potential impacts to cultural resources⁴ to ensure that reasonable action is taken to avoid adverse impacts to these resources. The federal government, through Section 106 of the National Historic Preservation Act, requires the same compliance for projects with federal involvement, for example, projects on federal lands, with federal funds, or those that require a federal permit.

RCO facilitates review under the Governor’s executive order. The appropriate lead federal agency facilitates review under Section 106 of the National Historic Preservation Act. If the federal review covers the entire RCO project area, there is no additional review required to meet state requirements. Both processes require review, analysis, and consultation with the Washington Department of Archaeology and Historic Preservation and affected Native American tribes for archaeological and cultural resources.

**Important Note:** Ground-disturbing activities for any project that occurs before completion of the cultural resources review process are not eligible for reimbursement. The sponsor must be sure to indicate the extent of ground-disturbing activities in the grant application and make sure that the RCO grants manager is aware of this work before going under agreement. This will help ensure the appropriate review is conducted for the project.

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⁴Cultural resources means archeological and historical sites and artifacts, and traditional areas or items of religious, ceremonial, and social uses to affected tribes.
Section 4: Project Construction

In this section, you’ll learn about:

✓ Reimbursement and eligible costs
✓ Amendments and cost increases

Reimbursement

The FBRB is a reimbursement grant program. RCO Manual 8, Reimbursements describes in detail the reimbursement policies. Project sponsors will have to incur costs up-front and provide expenditure documentation and a brief progress report to RCO for reimbursement for the full amount, including match. Manual 5, Restoration Projects describes eligible construction and administrative costs. The final billing must be accompanied by a short final report submitted in PRISM. RCO will reimburse sponsors within 30 days of receipt of a complete and accurate invoice, though most payments are processed within 2 weeks. RCO will retain 10 percent of project costs until RCO completes a final inspection.

Any significant change orders during project construction must be approved in advance by RCO staff.

In limited situations, advances can be made to third-party sponsors. Landowners are not eligible to receive advances.

Eligible Costs

All project costs and donations submitted for reimbursement or match must directly relate to the work identified in the project agreement and be considered reasonable, necessary, and eligible. Itemized lists of eligible expenses can be found in Manual 5, Restoration Projects and Manual 7, Long-Term Obligations. Additional costs that may be eligible for FBRB-funded projects are described below.
Pre-Agreement Costs

Costs incurred before the start date of the project agreement will not be reimbursed, except in the following instances, and only if they are a part of the grant project agreement:

- Engineering and design costs (i.e. surveying, geotechnical, other data gathering)
- If cost-effective (i.e. materials are available at a reduced cost), the following construction materials and any associated transportation costs:
  - Culverts
  - Bridges
  - Large woody materials (if approved as a fish passage-related project design element)

Advance approval by the RCO grants manager is required to be reimbursed for pre-grant purchase of any construction materials listed above. The FBRB will not pay for purchases of construction materials and associated costs or installation costs except those noted above, incurred before project agreement.

Amendments and Cost Increases

On occasion, the project scope or the cost of completing a project changes from what is in the project agreement. The project agreement may change with an amendment. A project sponsor must submit an amendment request to the RCO grants manager. The RCO grants manager then will trigger the amendment review and approval process in Appendix D: FBRB Amendment Request Authority Matrix. Depending on the nature of the amendment, the Technical Review Team may need to be consulted and/or the FBRB may need to give approval. Please see Appendix D for more details. Once the requested amendment is approved or disapproved, the project sponsor will receive written notice from the RCO grants manager.

Time Extension Amendment Requests

Notify the RCO grants manager of any projected delays in meeting project milestones as soon as possible. Delays that affect the expected date of project completion require a time extension amendment to the contract. Extension requests must be in writing and provided to RCO no less than 60 days before expiration of the project’s completion date. Note that funded design projects with no match are not eligible for time extensions and must be complete within 18 months of the funding date. RCO may approve or send to FBRB.
Section 5: Completing a Project

In this section, you’ll learn about:

- Site inspections
- Final report
- Site maintenance and long-term obligations

Site Inspections

At a minimum, the project sponsor can expect the following site inspections during the life of the project:

- **Interim**: This inspection normally is coordinated with the sponsor and the RCO grants manager. Other members of the Technical Review Team also may attend. This interim site inspection is made sometime during project implementation to help resolve any apparent or anticipated problems and to monitor project progress.

- **Final**: This site review takes place after the sponsor requests a final payment and/or final inspection. The RCO grants manager is required to attend in order to close out the grant and issue final payment. Other members of the Technical Review Team also may attend. This request must be made only after the project is complete, architects and/or engineers have made their inspection, and defects have been corrected. The final inspection is intended to ensure that the project was completed as described in the project agreement. For private lands, the landowner agreement shall allow access to perform project site inspections. On completion of the final inspection and submission of a final report in PRISM the final payment, including the release of retainage, will be made.

- **Compliance**: RCO has a policy to inspect completed projects to compare actual conditions to the terms and conditions of the project agreement. An inspection may be done at any time during the life of the project or landowner agreement. Inspection will result in a determination of compliance, non-compliance, or conversion. See Manual 7, Long-Term Obligations, for more information.
Final Report

A final report is due at project completion. The final report is submitted in PRISM. The report is required before a final payment is released for the project and indicates project completion to the grants manager.

Site Maintenance and Long-term Obligations

A FBRB grant comes with long-term obligations to maintain and protect the project area after the project is complete. “Project area” means the area consistent with the geographic limits of the scope of work of the project. The long-term obligations for FBRB projects are described in Section 23 of the project agreement, and Manual 7, Long-Term Obligations.

Beyond the long-term obligations outlined in the project agreement, the landowner is required to maintain unimpeded fish passage at the project site in perpetuity as specified by Revised Code of Washington 77.57.030. For questions about this law contact WDFW.
Appendix A: Approved Watersheds in the Watershed Pathway

**Priority Watersheds**

- **Lower Columbia**
  - Lower Cowlitz
  - Yakima Basin
  - Wilson/Cherry

- **Puget Sound**
  - Pysht River
  - Pilchuck River
  - Goldsborough Creek

- **Snake River**
  - Snake River Tributaries
  - Grande Ronde Tributaries

- **Upper Columbia**
  - Johnson Creek

- **Washington Coast**
  - Newaukum River
Appendix B:
Application Authorization Resolution

Download the Application Authorization Resolution form from the RCO Web site.
Appendix C: Fish Passage Project Design Deliverables

How Appendix C is Organized

This appendix is split into four sections. The goal is to give you a better understanding of the different design stages and deliverable expectations that will go into the project agreement. All fish passage projects shall follow four standard project development stages, described below, completed in a design-only grant construction grant.

- Appendix C-1: Conceptual Design Deliverables
- Appendix C-2: Preliminary Design Deliverables
- Appendix C-3: Final Design Deliverables
- Appendix C-4: Construction Deliverables

Project Deliverables

Included in each section of Appendix C is the deliverables matrix (see below). This provides a quick reference on the intended deliverables throughout the design and construction phases so you can plan and budget accordingly for your projects. The project agreement will include specific project deliverables based on the application, Technical Review Team recommendations, and your experience. Questions in the project application and PRISM allow you to provide information on the project designer, your experience, and success with similar projects.

Final design deliverables must be completed and stamped by a licensed professional engineer.

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Appendix C: Fish Passage Project Design Deliverables

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1Cultural resources compliance may be required if sponsor is conducting ground-disturbing activities during the design phases.

Fish Passage Project Design

Fish passage projects require a designer or team with a balance of knowledge and experience within the fisheries biology, civil or environmental engineering, and other technical fields. The person or team completing the preliminary project design is required to include at least one licensed professional engineer with experience in fish passage restoration.

Fish Passage Design Report Examples

To help with understanding the design report deliverable, RCO staff have published some sample design reports on the [RCO Web site](#). They include simple to complex examples to help illustrate the needed level of detail and the layout of a design report.

Water Crossing Design Guidelines

The *Water Crossing Design Guidelines* is a WDFW document to help the road crossing owner and designer to comply with Washington State law that protects fish life. This document provides practical, real-world knowledge and techniques to improve the overall success of water crossings. These guidelines do not replace existing regulatory requirements, though they are designed in part as technical guidance supporting regulatory streamlining and grant application review for fish passage project applications.

The FBRB highly recommends that project sponsors and designers review the *Water Crossing Design Guidelines* online. Chapter 1, which discusses the geomorphic approach to designing fish passage corrections. Chapter 2 provides guidance on no-slope culvert design, Chapter 3 covers stream simulation culvert design, Chapter 4 provides bridge design criteria, and Chapter 6 provides guidance on hydraulic design options.
Stream Habitat Restoration Guidelines

The FBRB highly recommends that project sponsors review the *Stream Habitat Restoration Guidelines* (2012) online. The guidelines are part of a series of guidance documents that promote process-based natural stream restoration.

In developing the application, the FBRB highly recommends sponsors consult Chapters 4 and 5 of the *Stream Habitat Restoration Guidelines*. Chapter 4 provides guidance for developing goals, objectives, and strategies for restoration projects and Chapter 5 provides guidance on designing and implementing restoration techniques.
Appendix C-1: Conceptual Design Deliverables

All fish passage projects shall follow four standard project development stages: conceptual design, preliminary design, final design, and the construction phase. The table above lists deliverables for all projects, with the conceptual design deliverables highlighted. The deliverables are further described in Appendices C 1-4. This guidance intends to ensure that sponsors, evaluators, and the FBRB have the same expectations for grant agreement deliverables.

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1Cultural resources compliance may be required if sponsor is conducting ground-disturbing activities during the design phases.
Conceptual Design Deliverables

Submit the following deliverables to your RCO grants manager along with any assessment and feasibility deliverables funded in the scope of work.

1. Description of the project site and the problems within the context of salmon recovery.

2. Identification of specific goals and objectives for addressing the problems.

3. Identification and conceptual design of alternatives for achieving the project objectives. Each conceptual design alternative must include a description of the design and a plan view drawing of existing site conditions and the proposed project on accurately scaled site plans. The plan view drawing must include an area/location map, property boundaries (either surveyed or approximated based on assessor’s data), landownership, roads or other infrastructure as appropriate, scale, north arrow, water bodies and direction of flow, bank-full width or mean high water line for marine waters, and approximate dimensions of proposed elements.

4. Evaluation and discussion of stakeholder comments and the pros and cons of each alternative.

5. Selection of the preferred alternative(s).

6. Rough construction cost estimate of the preferred alternative(s).
Appendix C-2: Preliminary Design Deliverables

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1Cultural resources compliance may be required if sponsor is conducting ground-disturbing activities during the design phases.

This appendix describes the project deliverables for preliminary design level. This guidance intends to ensure that you, evaluators, and the FBRB have the same expectations for grant agreement deliverables.

All fish passage projects that include design elements shall follow four standard project development stages: conceptual design, preliminary design, final design, and the construction phase. The table above lists the deliverables for all projects, with the preliminary design deliverables highlighted. Appendices C 1-4 describes the deliverables.

**Preliminary Project Design**

FBRB uses the term “preliminary project design” to define an intermediate deliverable in a final design or construction project. Preliminary designs intend to advance project concepts to a detailed understanding and quantification of all the major project elements.
Preliminary designs traditionally may be labeled “30 percent design,” “50 percent design,” etc., but these numeric labels tend to confuse the process and do not always reflect the design detail of the project. Therefore, we request that you and consulting engineers use the FBRB definitions for consistency.

Fish passage projects require a design team with a balance of knowledge and experience within the fish biology, civil engineering, and other technical fields. The person or team completing the preliminary project design is required to include at least one licensed professional engineer, who would be qualified to follow through with the final project design.

**Preliminary Design Process**

While the detailed scope of each project’s preliminary design process is unique, in general, the process for developing a preliminary design includes the following:

- Preparing surveyed site plans.
- Conducting field investigations of hydrologic, geotechnical, and other site conditions.
- Conducting data analysis.
- Preparing drawings and designs.
- Preparing the design report.
- Preparing engineering cost estimates.

For additional detailed guidance on designing and implementing fish passage projects, please refer to Chapters 4 and 5 of the *Stream Habitat Restoration Guidelines*.

**Preliminary Design Deliverables**

Preliminary designs must adequately describe all proposed project elements in sufficient detail for permit review and authorization. While the design team may tailor the design process to suit the unique circumstances of each project, the following project deliverables are required for the preliminary design level review:

A. Preliminary design report, drawings, and engineering cost estimate

B. Design review comments (optional)

C. Permit applications (optional)
Appendix C-2: Preliminary Design Deliverables

You must submit these deliverables to your RCO grants manager at the close of your preliminary design project. The following section provides more details on the preliminary design deliverables.

A. Preliminary Design Report, Drawings, and Construction Cost Estimate

A design report is a record of the technical decisions that inform the development of the selected project design either at the preliminary or the final design stage. By clearly documenting and explaining the design process, the report allows reviewers and other stakeholders to understand the proposed project and the relevant factors that contributed to its design. The preliminary design report must describe all elements of the project and be sufficiently detailed to support project permitting.

While the design team may structure the design report to suit the circumstances of its project, in general, the design reports should include the following elements:

- **Introduction**: An explanation of the purpose of the project and its specific habitat restoration goals and objectives.

- **Existing Conditions**: A characterization and analysis of the existing conditions that may be relevant to project design. Typically these conditions include the following:
  - Description of the problem
  - Summary of site, reach, and watershed conditions
  - Biological and water quality factors as they relate to the project conditions
  - Site history and constraints that have led to the observed problems and which may present challenges to restoration
  - Description of identified causes of the problem. This section typically includes historical data; surrounding land uses; landowner and community expectations; survey information (topographic, geomorphic, and vegetative); sediment sampling; water velocities, depths, and flow rates; groundwater or hyporheic flow evaluation ranges; tidal elevation and ranges; and maintenance requirements and others. The level and detail of survey and data collection needed is dependent upon project goals, objectives, and the context of the project.

- **Preliminary Design Alternatives**: An identification, description, and evaluation of design alternatives considered for achieving the project goals and objectives. Describe each element of the design alternatives. Include a comparison of each
of the alternatives discussing project objectives, other evaluation criteria (such as fish benefit, maintenance, sustainability, social acceptance, etc.) and cost, to the extent that cost data is available at this stage of the design process.

- **Preferred Alternative:** A description of a preferred alternative and the rationale for choosing it, citing the relevant factors described above. Include a brief explanation of why the other alternatives were not selected.

- **Design Considerations and Preliminary Analyses:** A listing of specific design criteria that defines the intent and expectations for each project element. Design criteria are specific, measurable attributes of project features that clarify the purpose of each project element and articulate how each element will contribute to meeting the overall project’s goals and objectives. Include justification and documentation of design methods applied, including assumptions that facilitated the design. Provide design output, including analytical results of all technical and design analyses and how these translate to project element designs.

- **Permitting and Stakeholder Consultation:** A description of regulatory and/or other public consultation activities carried out and how the review comments from agencies and other stakeholders were addressed in the preliminary design. This section is optional based on proposed deliverables in the application.

- **Preliminary Design Drawings:** The preparation of preliminary design drawings is a key step to producing a successful fish passage project. All design and restoration projects require preliminary design drawings. Please produce all preliminary design drawings in digital format (e.g. AutoCAD), each drawing should be to scale, and it is strongly suggested that the vertical and horizontal scales on the drawings be kept the same.

For the preferred alternative, minimum drawing requirements include depiction of all elements of the project in sufficient detail to support project permitting, and include at a minimum the following:

- Existing site plan showing: Area/location map; property boundaries; landownership; road, utilities, or other infrastructure as appropriate; scale; north arrow; water bodies and direction of flow; and bank-full width or mean low and high water (marine waters).

- Project site plan view drawing(s) showing proposed actions overlaid on the existing site plan (above). The site plan should include all project elements including installation and removal of fill, wood, rock, culverts, infrastructure, clearing and staging, dewatering, etc.
Appendix C-2: Preliminary Design Deliverables

- Project profile and cross-section at important project locations showing water surface elevations relevant to the design (e.g. ordinary high water, maximum design flow, tidal elevations, flood elevations)

- Structure design details, as needed.

Provide additional design drawings for complex projects and projects with multiple features or multiple sites.

- **Construction Quantities and Preliminary Construction Cost Estimate.**

- **Appendices:** Include references, analytical and model inputs and outputs, and other supporting documentation.

B. **Design Review Comments (Optional at Preliminary Design Phase)**

Send the preliminary design report and drawings to relevant stakeholders and the RCO grants manager after your in-house review. After a reasonable time for review, you are encouraged to plan an on-site visit to review the design plans at the project location with stakeholders (e.g. landowners, co-managers, Technical Review Team, RCO grants manager, etc.).

These steps have been very useful for a comprehensive “reality check” for stakeholder review and consideration of all stated project objectives.

You shall send your RCO grants manager a memo (or similar correspondence) that consolidates stakeholder comments and other considerations received during design review. The memo should describe how the comments have (or have not) been incorporated into the design. Distribute this memo to all entities involved in the review. This step is optional because for some sponsors this step is more practical during the final design phase.

C. **Permit Applications (Optional at Preliminary Design Phase)**

You should provide permit applications or proof of permit receipt (e.g. copies of permits or permit numbers and issue dates) to the RCO grants manager or in the PRISM progress report under the “Permit” tab. This step is optional at the preliminary design phase because, for some sponsors, this step is more practical during the final design phase.
Appendix C-3: Final Design Deliverables

This appendix describes the project deliverables for final design level. This guidance intends to ensure that you, evaluators, and the FBRB have the same expectations for grant agreement deliverables.

All fish passage projects shall follow four standard project development stages: conceptual design, preliminary design, final design, and the construction phase. The table above lists deliverables for all projects, with the final design deliverables highlighted. Appendices C 1-4 describe the deliverables.

Final Project Design

The final project design will incorporate comments provided by stakeholders, the Technical Review Team, and/or permit agencies regarding the preliminary design report and on-site review. The final design process must address and resolve all substantial
issues raised in the permitting and stakeholder review process, so that all stakeholders agree on the final plans.

The final project design process converts the preliminary design drawings and report into a stand-alone and comprehensive set of final design drawings (construction drawings) and technical specifications for project construction.

Final design deliverables must be completed and stamped by a licensed professional engineer.

**Final Design Deliverables**

While the design team may tailor the design process to suit the unique circumstances of each project, the following are required deliverables for final design and restoration projects. Your RCO grants manager must accept the following required deliverables before you move forward to construction:

A. Design review comments

B. Final design report and drawings (please refer to Section C-2 for a list of items to include in your design report)

C. Landownership Certification Form, if not already provided

D. Technical specifications

E. Final construction quantities and costs

F. Contract bidding documents and general contract conditions (unless the project will be built by sponsor crew)

G. Construction permits (optional)

The following section provides more details on the final design deliverables.

A. Design Review Comments

The design review memo may be included in the final design report or submitted as a separate document.

You shall submit a memo that consolidates stakeholder comments and other consideration received during preliminary design review. The memo should explain how the comments and other feedback have, or have not, been included in the final design. Distribute this memo to all entities involved with design review. This step may have been completed during the preliminary design phase.
B. Final Design Report and Drawings

Revise the preliminary design report and drawings to address the review and permitting comments, as needed. RCO may need additional detailed drawings to clarify the design of specific work items. Final design should define the project elements considered essential to meet the project’s goals and objectives in sufficient detail to minimize changes made during construction.

C. Technical Specifications

Technical specifications may be included in the final design report or as a separate document.

Support all work shown on project drawings with one or more technical specifications to further describe and/or control the work. The construction contractor should know about project materials, technical requirements, project elevations, permit requirements, or any other elements of the proposed project. Clear and detailed technical specifications reduce on-the-ground adjustments and changes that may deviate from the original project objectives.

D. Final Construction Quantities and Costs

Construction quantities and costs may be included in the final design report or as a separate document.

FBRB-funded projects require a detailed list of work items and quantities as part of the final project design; listing a lump sum cost for the entire project is not acceptable. A detailed breakdown of work quantities typically includes 10 to 40 separate work items, matched with respective estimated quantities. Generate a construction cost estimate for comparison with contractor bids to ensure a competitive bid; any experienced project designer can produce this estimate, traditionally termed “engineer’s estimate.”

E. Contract Bidding Documents and General Contract Conditions

Contract bidding documents and contract conditions may be included in the final design report or as a separate document.

If you intend to use your own construction crew, this subsection is not applicable; however, the requirements for technical specifications and a detailed list of work items (above) still apply.

Bidding documents should include: a bid form, definitions, a proposed agreement (to be between you and contractor), general conditions, special provisions, technical specifications, and the project drawings (usually bound separately).
Contractor selection for FBRB-funded projects shall use good business practices, which could include selective negotiations with known contractors, public advertisement for bidding, or competitive bidding using some combination of proposed price and contractor qualifications. The contractor selection process should be objective and defensible in case of contest by companies not selected for the construction work. You must follow any applicable state and/or required federal procurement procedures.

F. Construction Permits (Optional at the Final Design Phase)

You shall provide permit applications, or proof of permit receipt (e.g. copies of permits or permit numbers and issue dates) to your RCO grants manager or in your PRISM progress reports under the “Permit” tab. This step is optional at the final design phase because, for some sponsors, this step is more practical during the construction phase. You are required to meet the deliverables outlined in your project agreements.
Appendix C-4: Construction Deliverables

This appendix describes the project deliverables for all fish passage construction projects where you intend to construct the project. This guidance intends to ensure that you, evaluators, and the FBRB have the same expectations for grant agreement deliverables.

All fish passage projects shall follow four standard project development stages: conceptual design, preliminary design, final design, and the construction phase. The table below lists deliverables for all projects with the construction deliverables highlighted. Appendices C 1-4 describe the deliverables.

### Construction Phase

This section identifies the required pre-construction deliverables, the construction management process, and “as-built” requirements.
Pre-Construction Deliverables

1. **Control and tenure documentation.** Before construction, you must provide control and tenure documentation of the property being restored. See *Manual 18, Salmon Recovery Grants*, Section 6 for more information.

2. **Cultural resources review.** Real property restored through RCO funding is subject to [Governor’s Executive Order 05-05](#) or compliance with Section 106 of the National Historic Preservation Act. RCO requires documented compliance with the applicable cultural resources review process. For more information on cultural resources review, see *Manual 18, Salmon Recovery Grants*, Section 6.

3. **Proof of permits.** Before construction, you must secure all necessary permits and submit proof of permit receipt (e.g. copies of permits or permit numbers and issue dates) to your RCO grants manager or in your PRISM progress reports under the “Permit” tab. You may have completed this pre-construction task in an earlier design phase.

**Construction Management**

To minimize unintended errors introduced during construction, FBRB highly recommends that the project designer has direct, on-site involvement during all phases of construction. Some project sponsors may have extensive construction experience and knowledge and may perform daily construction supervision. FBRB recommends that you and the designer agree to some sharing of construction supervision responsibilities with mutual confidence required of both entities. The designer/engineer should be confident that the on-site construction inspector will recognize any problems before construction is complete and ensure that there is daily communication between the construction inspector and designer/engineer. The project designer/engineer should review and approve substantial changes during construction before implementation. Substantial changes in design also may need FBRB approval as well as approval from regulatory agencies.

**Post-Construction Deliverable: “As-Built Drawings”**

Document all changes made during construction. “As-built drawings” refers to the conventional term applied to project design drawings modified by the engineer/designer after completion of construction to document the completed project. Prepare as-built drawings if changes were made to the final design during construction. Submit these drawings to the RCO grants manager after project completion.

Instead of the conventional as-built drawings described above, FBRB may allow you to submit the following as-built documentation:
Appendix C-4: Construction Deliverables

- Original final designs (if no changes were made during construction).
- Original final designs with a list of change orders describing the construction changes.
- A design memo from the designer/engineer with notations on the final design/construction plans identifying the changed elements of the project with photo-points and photographs showing the project post-construction.
Appendix D: FBRB DRAFT APPLICATION QUESTIONS

Download a version of the Draft Application Questions that you can fill out from the RCO Web site.

Questions 1-4 will be evaluated based on the clarity and completeness of responses. Question 5 is used to determine eligibility.

1. Project Readiness

Please describe the readiness of your proposed project. Include information about designs, permits, easements, sponsor capacity, project schedule, landowner willingness, site-specific constraints, project scope, resource commitments (match), and any other pertinent information that supports the completion of your project within the grant award period (Note: for Restoration Projects only, if invited to submit a final application and the requested amount is greater than $500,000, then recently completed preliminary-level designs are required to be submitted with your final application. Preliminary design deliverables are described in Manual 22, Appendix C-2.) Limit 1,000 words.

2. Anticipated Costs

What are the anticipated costs of full designs for your project? If requesting funding for a Restoration Project, what are the anticipated costs of construction for your project? (Note: if invited to submit a final application, a complete, itemized cost estimate will be required with your final application.) Limit 250 words.

3. Habitat Quality

Describe the quality of the obstructed habitat for the species that are affected by the barrier. Limit 500 words.

4. Design Approach

For the proposed project, describe the current level of designs, how the project will meet or exceed stream simulation criteria, and how the project will accommodate the anticipated effects of climate change. (Note: for Restoration Projects only, if invited to
submit a final application and the requested amount is greater than $500,000, then recently completed preliminary-level designs are required to be submitted with your final application. Preliminary design deliverables are described in Manual 22, Appendix C-2.) Limit 500 words.

5. **Coordination**

Describe the barrier correction that the proposed project is in coordination with - this can be either upstream or downstream of the proposed project, but must have been completed since 2010 or currently funded and scheduled for construction by 2021. (Note: if invited to submit a final application, more information about the level of coordination, i.e., total number of other restoration projects completed in the watershed, will be required). Limit 250 words.
Appendix E: FBRB FINAL APPLICATION QUESTIONS

Download a version of the Final Application Questions that you can fill out from the RCO Web site.

1. **Limiting Factors**

   Describe how the proposed project addresses limiting factors to productivity and life history stages within the watershed. Limit 500 words.

2. **Level of Coordination**

   Describe the level of coordination of the proposed project with other recently completed or ongoing restoration projects within the watershed. *(Note: this can be any type of habitat restoration, e.g. large wood placement or floodplain restoration.)* Limit 500 words.

3. **Project Scope**

   Describe the scope of the proposed project, and the goals and objectives. Describe how the project scope is appropriate to meet the identified goals and objectives. Include milestones and schedule. Limit 500 words.

4. **Additional Supporting Information**

   Provide any other relevant information you would like for the FBRB to consider in the evaluation of the proposed project, e.g. the proposed project’s contribution to an approved recovery plan. Limit 1,000 words.
Appendix F: Cost Estimate Spreadsheet

Download a version of the Cost Estimate Spreadsheet that you can fill out from the RCO Web site.
Appendix G: Landowner Acknowledgement Form

Download a version of the Landowner Acknowledgement Form that you can fill out from the RCO Web site.

**Landowner Information**

Name of Landowner: Click here to enter text.

Landowner Contact Information:

☐ Mr. ☐ Ms. Title: Click here to enter text.

First Name: Click here to enter text. Last Name: Click here to enter text.

Contact E-Mail Address: Click here to enter text.

Contact E-Mail Address: Click here to enter text.

Property Address or Location: Click here to enter text.

1. Click here to enter text, is the legal owner of property described in this grant application. (Landowner or Organization)

2. I am aware that the project is being proposed on my property.

3. If the grant is successfully awarded, I will be contacted and asked to engage in negotiations.

4. My signature does not represent authorization of project implementation.

__________________________________________  _______________
Landowner Signature   Date

**Project Sponsor Information**

Project Name: Click here to enter text.

Project Applicant Contact Information:

☐ Mr. ☐ Ms. Title: Click here to enter text.

First Name: Click here to enter text. Last Name: Click here to enter text.

Mailing Address: Click here to enter text.

E-Mail Address: Click here to enter text.
Appendix H: Barrier Evaluation Form

Download a version of the Barrier Evaluation Form that you can fill out from the RCO Web site.
Appendix H-1: Expanded Barrier Evaluation Form

Download a version of the Expanded Barrier Evaluation Form that you can fill out from the RCO Web site.
Appendix I: Correction Analysis Form

Download a version of the Correction Analysis Form that you can fill out from the RCO Web site.
Appendix J:
FBRB Amendment Request Authority Matrix

Adopted May 2017
A project sponsor may appeal any decision to the FBRB.
Consult means the project sponsor requests an amendment, provides information, and obtains a decision through the RCO grants manager.

<table>
<thead>
<tr>
<th>Amendment Request</th>
<th>Project Sponsor</th>
<th>WDFW Division Manager</th>
<th>FBRB Technical Review Team</th>
<th>FBRB</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase project funds due to project adjustments¹</td>
<td>Consult</td>
<td>May approve or recommend</td>
<td>Available to review amendment</td>
<td>May approve</td>
<td>The site had different soil types than expected and it cost more than anticipated to do the geotechnical analysis, design, and install the culvert. You now request an increase in FBRB funds.</td>
</tr>
<tr>
<td>Increase/ decrease project scope (no funding change)</td>
<td>Consult</td>
<td>May approve or recommend</td>
<td>Available to review amendment</td>
<td>May approve</td>
<td>You plan to replace two barrier culverts. After designing the project, you realize you only have funds to install one culvert. You request a scope reduction, but still need to use all the funds.</td>
</tr>
<tr>
<td>Transfer sponsorship</td>
<td>Consult</td>
<td>May approve</td>
<td></td>
<td></td>
<td>Original sponsor is unable to start or complete the work and requests a different sponsor finish the project.</td>
</tr>
</tbody>
</table>
### Amendment Request Authority Matrix

<table>
<thead>
<tr>
<th>Amendment Request</th>
<th>Project Sponsor</th>
<th>WDFW Division Manager</th>
<th>FBRB Technical Review Team</th>
<th>FBRB</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduced match</td>
<td>Consult</td>
<td>May approve or recommend</td>
<td>Available to review amendment</td>
<td>May approve</td>
<td>You received $75,000 from FBRB and provided $33,000 (30 percent) in match for a total project cost of $108,000. Later, you realized you only could raise a match of $14,000 (15 percent) for a total project cost of $89,000. You request a match reduction of 57 percent ($19,000/$33,000) and corresponding scope reduction.</td>
</tr>
<tr>
<td>Significant change in the project location</td>
<td>Consult</td>
<td>May approve or recommend</td>
<td>Available to review amendment</td>
<td>May approve</td>
<td>You are unable to replace a culvert at the proposed location and ask to replace another culvert within an approved watershed.</td>
</tr>
</tbody>
</table>

1Cost increases may be granted only if funding is available.
Appendix K: Landowner Agreement

This Agreement, dated and effective beginning the [Click here to enter text.] day of [Click here to enter text.] is made and entered into by and between the Landowner and Grantee identified herein. The parties intend that all terms of this Agreement shall remain in effect for a period of ten years from the date of project completion, and the agreement shall be binding on all successors in interest during this time. The date of project completion is the date of final payment to the project sponsor (here Grantee), as defined in Section E of the Salmon Project Agreement. It is the responsibility of the Grantee to inform the landowner of this date.

Landowner Name (Landowner): [Click here to enter text.]
Street Address: [Click here to enter text.]
City, State, Zip Code: [Click here to enter text.]

Salmon Recovery Funding Board Project Sponsor (Grantee):
Grantee Name: [Click here to enter text.]
Street Address: [Click here to enter text.]
City, State, Zip Code: [Click here to enter text.]

Purpose of Landowner Agreement

The purpose of this Agreement is to identify and confirm the terms, conditions and obligations agreed upon between the Grantee, who is undertaking a project (Project) funded by the Recreation and Conservation Office (RCO), and the Landowner, who owns the property on which the Project will take place.

The Grantee and Landowner mutually agree to participate in conducting the salmon habitat improvement activities described below on lands owned by Landowner in the Click here to enter text. Watershed (Water Resource Inventory Area), [Click here to enter text.]
County, State of Washington, Tax Parcel No. The activities also are described in, and in accordance with, RCO’s Project Agreement No. Dated into which this agreement, once signed by both parties, becomes incorporated herein.

The Grantee Agrees to:

1. Be responsible for the design and installation of the project and the conduct and activities of its staff, agents, and representatives

2. Provide the Landowner with a timeline of estimated dates of Project activities, including start and completion dates, and to keep the Landowner informed of progress.

3. Conduct the project-related activities described in the Project Description, as appended to this agreement.

4. Leave all remaining portions of the property in as near pre-project condition as reasonable, or as otherwise agreed upon in writing with Landowner.

5. Inform Landowner of project completion and the dates for this Agreement.

6. Hold harmless the landowner from any liability associated from injuries or damages occurring to workers implementing the project.

7. Identify the specific maintenance and/or monitoring activities that will be provided by grantee in Attachment A (Include frequency and duration).

The Landowner Agrees to:

1. Provide reasonable property access to the Grantee to plan, implement, and complete the project, and to conduct the long-term maintenance and monitoring activities, as described in the Project Description attached to this agreement.

2. Provide the Grantee and RCO, or their employees, agents, representatives, contractors, or assignees, the right to enter the land, at reasonable times, and upon reasonable notice. Entry is solely for project implementation and management purposes, to inspect completed work and to monitor long-term success of the completed project. Except in case of emergency, reasonable notice shall be given at least 48 hours before entry.

3. Not intentionally compromise the integrity of the project;

4. Inform Grantee of all known safety hazards on the property;
Appendix K: Landowner Agreement

5. Identify the specific maintenance and/or monitoring activities that will be provided by Landowner in Attachment A (Include frequency and duration).

Landowner has no obligation to provide access to parties other than the Grantee or RCO, or their employees, agents, representatives, contractors, or assignees. For the purposes of viewing the Project for information or educational purposes, Landowner and Grantee must mutually agree before such third-party access is offered.

General Terms

The Landowner shall notify the Grantee of changes in ownership of the property on which the Project is located within thirty (30) days of transfer. In the event of such transfer of ownership, the Landowner shall provide a copy of this Agreement to the succeeding owner prior to such transfer. The Landowner’s written notification to the Grantee will include the name of the new landowner. The sponsor then will contact the new landowner to determine whether or not the landowner agrees to continue the landowner’s specific maintenance, monitoring, and reporting responsibilities as described in Attachment A (if applicable), and to not intentionally compromise the integrity of the project. If the new landowner agrees, please provide a copy of the new landowner-signed statement to continue the landowner’s monitoring, maintenance, and reporting responsibilities as described in Attachment A.

To comply with Executive Order 05-05, Archaeological and Cultural Resources, Grantees may have to complete a cultural resources survey in response to any cultural resources concerns that might arise. Grantees will notify the landowner if a consultation is required. If required, consultations must be completed before construction begins.

This agreement may be terminated by the Grantee, if in its discretion, it determines that circumstances have rendered the Purpose of this agreement impractical to achieve. Termination also may be sought by either party by providing written notice to the other party. Such termination shall be effective only after authorized representatives of both parties have agreed in writing to such termination and RCO has been provided a thirty (30) day advance written notice of such termination. If, in the event the project is intentionally removed, destroyed, or otherwise compromised in function, or if successor Landowners do not agree to the terms of this Agreement, RCO reserves the right to seek remedy as described in the section titled “Restriction on Conservation of Real Property and/or Facilities to Other Uses” of the Salmon Project Agreement and Washington Administrative Code 420-12-085, which requires the project sponsor to provide a new restoration site to serve as replacement.

This Agreement does not authorize the Grantee or RCO to assume jurisdiction over, or any ownership interest in, the premises. The Landowner retains sole responsibility for taxes, assessments, damage claims, and controlling trespass. The Landowner also retains
all benefits and enjoyment of the rights of ownership except as are specifically provided in this agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement.

Grantee        Date

Landowner        Date

Provide a copy of this Agreement, and any amendments to this Agreement, to the RCO: Washington State Recreation and Conservation Office, PO Box 40917 Olympia, WA 98504-0917

Attachment A:

Project Description and Maintenance Responsibilities

1. Written description of the project-related activities that will occur on Landowner’s Property (consistent with project cost elements) and the anticipated salmon or environmental quality benefits: (Include restoration/enhancement activities and any long-term maintenance needs and effectiveness monitoring activities that will occur in future years.)

   Click here to enter text.

2. Describe the maintenance and monitoring responsibilities of both the Landowner and Grantee for the term of this agreement. Include the activities, frequency and duration of work to be performed.

   Click here to enter text.