

Manual 20

Family Forest Fish Passage Program

Grant Recipient Responsibilities

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Section 1: Introduction

In this section, you'll learn about:

- ✓ The Family Forest Fish Passage Program
- ✓ Where to get information

About Family Forest Fish Passage Program

The Family Forest Fish Passage Program (FFFPP) is a cost-share program established by the Legislature in 2003¹ to help small forest landowners correct fish passage barriers on their forestlands. The program provides 75-100 percent of the cost of correcting a barrier. The program also provides technical assistance to landowners.

The program is administered jointly by the Department of Natural Resources, the Washington Department of Fish and Wildlife, and the Recreation and Conservation Office (RCO). The Fish Passage Team is staffed by employees from each of the three partnering agencies. The Fish Passage Team provides information and assistance to small forest landowners and project sponsors regarding their projects from project eligibility to project completion.

- **Washington Department of Natural Resources:** This state agency's Small Forest Landowner Office provides technical and financial assistance to family forest owners and determines eligibility for the program.
- **Washington Department of Fish and Wildlife:** This state agency conserves wildlife and their habitats. The department evaluates and ranks the projects.
- **Washington Recreation and Conservation Office:** This state agency administers multiple grant programs to create outdoor recreation opportunities, protects the best of the state's wildlife habitat, conserves working farms and

¹Revised Code of Washington 76.13.150

forests, and helps return salmon from near extinction. RCO provides the funding and grant administration and project management for FFFPP.

Funding

Since 2003 when the program was created, the state Legislature has provided funding to the program to help small forest landowners remove or replace fish passage barriers on their private forestland roads.

Each year, projects are funded based on a prioritized list. Projects that provide the most benefit to the resource are considered the highest priority and are funded first. Eligible projects that aren't funded remain on the list until funding becomes available.

Where to Get Information

This Manual

This manual provides basic information on fish passage restoration projects funded by FFFPP grants, outlines the primary responsibilities of the grant recipients, and explains how additional information and help may be obtained. To obtain more information, attend a funded project workshop or contact a member of the Fish Passage Team below. Visit the Department of Natural Resources Web site for the [Small Forest Landowner Office](#) for additional application and program information.

Definitions

For definitions of terms used in this manual, see the project agreement. A [sample agreement](#) is online.

The Fish Passage Team

Department of Natural Resources

STAFF CONTACT

[Laurie Cox](#)

(360) 902-1404

FAX: (360) 902-1428

[Web site](#)

Natural Resources Building

1111 Washington Street Southeast

Olympia, WA 98501

Mailing Address

PO BOX 47012

OLYMPIA WA 98504-0917

Department of Fish and Wildlife

STAFF CONTACT

[Laura Till](#)
(360) 902-2352

Natural Resources Building
1111 Washington Street Southeast
Olympia, WA 98501

Telephone: (360) 902-2200
FAX: (360) 902-2946
[Web site](#)

Mailing Address
PO BOX 43200
OLYMPIA WA 98504-3200

Recreation and Conservation Office

STAFF CONTACT

[Dave Caudill](#)
360-902-2649

Natural Resources Building
1111 Washington Street Southeast
Olympia, WA 98501

Telephone: (360) 902-3000
FAX: (360) 902-3026
TTY: (360) 902-1996
[E-mail](#)
[Web site](#)

Mailing Address
PO BOX 40917
OLYMPIA WA 98504-0917

Other RCO Grant Manuals You May Need

Visit RCO's Web site to obtain copies of these publications.

- [Manual 5, Restoration Projects](#)
- [Manual 7, Long Term Obligations](#)
- [Manual 8, Reimbursements](#)

Resource Materials

The Fish Passage Team has other publications designed to explain its programs. These include the following:

- [Program Web page](#)
- [FFPPP fact sheet](#)
- [Program Guidelines](#)
- [Technical assistance guides](#) – *Fish Passage: Design Guidance, Standards & Regulations*

- [Salmon recovery regional organizations and plans](#)

All publications can be made available in an alternate format.

Workshops

- **Funded Project Workshops:** Conducted soon after grants are announced, this workshop usually is held via a Webinar once a year and then the presentation is posted on the RCO Web site under "[Salmon Grant Trainings](#)" to view at any time. At these workshops, participants receive important information on the following:
 - **Project timeline and deliverables** – including compliance with the project agreement.
 - **Amendments to the agreement** – including project changes, time extensions, and cost increases.
 - **Construction Planning** – including construction plans, design requirements, bid procedures, donations, specifications, etc.
 - **Permitting** – which permit process will be needed for your project, a Forest Practices Hydraulic Project or a Hydraulic Project Approval Permit.
 - **Project implementation** – including billings, milestones, progress reports, inspections, long-term compliance, etc.

Section 2: Application Information

In this section, you'll learn about:

- ✓ Eligible applicants, projects, and sponsors
- ✓ The application process

Eligibility

Eligible Applicants

Eligible applicants are small forest landowners. A small forest landowner is defined in Revised Code of Washington 76.09.450 as a landowner who harvests less than 2 million board feet of timber on average per year, from their forestland in Washington. Once projects are approved for funding the Fish Passage Team works together to find a project engineer and sponsor to carry out the construction of the project. Visit the Department of Natural Resources' Web site for [additional information and definitions](#).

Eligible Projects

A project must correct a fish passage barrier on forestland that is owned by a small forest landowner and that supports merchantable timber. For the structure to be eligible, it must meet all of the following criteria:

- Located on forestland
- Located on a fish-bearing stream
- A barrier to fish passage
- Installed before May 14, 2003
- Owned by a small forest landowner
- Located at a road crossing

Eligible Project Sponsors

A project sponsor is the person or organization that receives the grant. A project sponsor can be the landowner where the fish passage barrier exists or a third party organization. The project sponsor is the person or group who works with the landowner, engineer, and managing agencies to facilitate the implementation of the funded project. The sponsor ensures all aspects of the project are completed. This includes the landowner contact, engineering, permitting, completion of all proper forms and applications, bidding, project construction, and reporting to the three managing agencies.

If landowners do not have extensive knowledge in implementing fish passage projects, they are strongly encouraged to use a third party organization. The Fish Passage Team can assist landowners in finding a third party organization, such as a regional fisheries enhancement group, conservation district, local government, tribe, or other nonprofit organization involved in salmon recovery.

For an overview of the grant process from start to finish, please see the FFFPP project timeline below. The timeline identifies the individual activities, who is responsible for each activity, and the timing for each.

The Application Process

How to Apply

Landowners can [submit applications](#) online to the Department of Natural Resources' Small Forest Landowners Office through its Web site and enroll in the FFFPP program or they can mail applications using [mail-in application forms](#). A Department of Natural Resources' forester will determine if the project is eligible based on the application materials. If more information is needed, the forester may schedule a site visit with the landowner. Another site visit may be arranged with eligible landowners by a Washington Department of Fish and Wildlife biologist to determine if there is a fish passage barrier on the property. If a barrier is found, the Fish Passage Team will assign a priority to the barrier based on habitat condition and quantity and fish species affected by the barrier.

RCO will notify landowners when their projects are funded. The Fish Passage Team will work with landowners to determine sponsors for their projects once funding becomes available. Project sponsors then submit applications into the [PRISM database](#), which is RCO's project database, and attach the required application materials noted below.

Sponsors are required to provide project cost and scope metrics information at application, then provide updates as the project is implemented, and then verify or update all project metrics before closing the project and receiving final reimbursement.

Updating metrics is facilitated through the PRISM progress reports and final report for the project.

Timeline

Color Key: ● Landowner ● Fish Passage Team/State Agencies ● Sponsor/Engineer

Date	Person Responsible	Activity
May 1	Landowner	Application deadline High priority list
May	Fish Passage Team	Projects funded (Approved by steering committee)
June	RCO grants manager	Funded letters sent
July	FFFPP biologist	Correction Analysis Form work orders sent
July	Landowner/ sponsor	Landowner acknowledgement
August	Engineer	Correction Analysis Forms Site survey
August-September	Fish Passage Team	Fish Passage Team chooses correction option from Correction Analysis Forms
August-September	Sponsor to schedule, facilitate	Site visit – Department of Natural Resources' Forest Practice forester, Hydraulic Project Approval biologist, engineer, sponsor, Fish Passage Team, landowner
September-October	Sponsor/engineer	Final cost estimate and design
November	Sponsor	Complete PRISM Application
September-October	RCO grants manager	RCO/sponsor agreement
October	RCO grants manager	Cultural resources
November-December	Sponsor	Apply for Forest Practice Hydraulic Permit/Hydraulic Project Approval Permit
December-January	Forest Practice forester/ Hydraulic Project Approval biologist, others if requested	Design review
December-April	Sponsor	Sponsor/landowner agreement
February-March	Sponsor/engineer	Bids solicited/construction contract
March-April	Sponsor/engineer	Notify Department of Natural Resources' Forest Practice forester, Department of Fish and Wildlife habitat biologist, and Fish Passage Team of design changes and start date
June-October	Sponsor/engineer	Construction
October-December	Fish Passage Team/ Sponsor	Post construction inspections
December-March	Sponsor	Project closeout

Section 3:

Project Implementation

In this section, you'll learn about:

- ✓ Project agreement
- ✓ Landowner agreement
- ✓ Required materials for construction
- ✓ State fish passage criteria
- ✓ Project design
- ✓ Reimbursements and eligible costs
- ✓ Amendments
- ✓ Reporting

Project Agreement

After a grant is awarded, RCO and the project sponsor must sign a contract, called a project agreement, before work can begin. A [sample project agreement](#) can be found on the RCO Web site. It is the responsibility of the grant recipient, also called project sponsor, to comply with the terms and conditions of the RCO project agreement.

The purpose of the project agreement is to protect the state's investment and outline the responsibilities of the state and the sponsor. More information on the project agreement can be found in *RCO Manual 7, Long-term Obligations*.

The project sponsor can complete the project agreement materials in PRISM once a final design option is agreed upon and a cost estimate is provided by the project engineer. Once the agreement materials are completed, RCO will execute a project agreement.

Required Agreement Materials

- Authorizing Resolution Form ([Appendix A](#))
- Landowner Acknowledgement Form ([Appendix B](#))
- Barrier Evaluation Form ([Appendix D](#))

- Project milestones worksheet (RCO will send to you)

Project cost estimate Landowner Agreement

If the project sponsor is a third party and not the landowner, a landowner agreement must be signed between the landowner and the sponsor to protect the state's investment in providing fish passage. Landowner agreements must be in effect for a minimum of 10 years after completion of the project. The landowner agreement can be found in [Appendix C](#). Other agreement formats may be used if they **include all required elements and are approved by RCO before starting construction**.

A signed landowner agreement **must be provided to RCO before construction or before a sponsor is reimbursed for any construction expenses**. The agreement is a document between the sponsor and the landowner that, at a minimum does all of the following:

- Allows the sponsor and RCO staff access to the site for project implementation, inspection, maintenance, and monitoring.
- Clearly states that the landowner will not intentionally compromise the integrity of the project.
- Clearly describes and assigns all project monitoring and maintenance responsibilities.

Required Materials for Construction

- Signed project agreement
- Landowner agreement
- Final design
- Cultural resources documentation
- Required permits
- Other required project milestones and/or special conditions

State Fish Passage Criteria

All fish passage projects in Washington State must meet state fish passage criteria. The Washington Department of Fish and Wildlife's [Water Crossing Design Guidelines](#)² should be taken into consideration during the design process. Department staff are available to provide design assistance and your local habitat biologist will work with you during the permitting process to ensure your chosen design option will meet state standards.

Several alternatives are available to consider in determining the best option for barrier correction. The *Water Crossing Design Guidelines* discuss each of these alternatives in depth and the design considerations that should be addressed when designing for fish passage.

Barrier removal and road abandonment provide the highest benefit to the resource and are cost-effective but can limit or eliminate access to landowner property. Both bridges and culverts are acceptable options for providing fish passage on private forestland roads. When properly designed and installed, either option will provide high value to the resource and allow for natural stream processes to occur.

Throughout the design process the project sponsor will coordinate with the project engineer, the proper permitting agencies, and FFFPP staff. The goal is to produce a cost-effective design and correction option that will meet state fish passage criteria and are acceptable to permitting agencies.

Project Design

Project design starts with the engineer's site survey and correction analysis form ([Appendix D](#)). The project engineer should complete the form and provide it to the project sponsor and Fish Passage Team for their review. The form provides one to three conceptual options and cost estimates for barrier correction for a project. The Fish Passage Team will work with the project sponsor and engineer to select a preferred option.

The project sponsor and project engineer then meet on site with the Department of Natural Resources' forester and the Department of Fish and Wildlife's biologist to discuss the correction option and to solicit input from the two permitting agencies and work out any additional design considerations. Upon agreement of an approved design option, the project sponsor and engineer can move forward with project design.

The project sponsor will use the cost estimate to complete the project agreement materials and the project engineer will continue design work to provide permit-ready designs for permit review. At a minimum, these designs should include drawings with a

²2013, Washington Department of Fish and Wildlife

plan view, stream cross section, stream profile, and road profile. The Department of Natural Resources has a specific checklist if the project is a Forest Practices Hydraulic Project through a Forest Practices Application.

Design assistance is available from the Department of Natural Resources and Department of Fish and Wildlife staff including the local forest practices forester, area habitat biologist, the local forest and fish biologist, and FFFPP staff.

Permit Review

The Department of Natural Resources will determine project eligibility and whether a project is a Forest Practices Hydraulic Project through the Department of Natural Resources or a Hydraulic Project Approval permit through the Department of Fish and Wildlife.

If a project is a Forest Practices Hydraulic Project, the sponsor must submit a Forest Practices Application to the Department of Natural Resources. More information is here: [Forest Practices Forms and Instructions](#). The sponsor should indicate on the Forest Practices Application that the landowner has applied for FFFPP and include an activity map.

Design documents submitted as part of the Forest Practices Hydraulic Project process will need to meet the requirements of the Department of Natural Resources' engineering checklist. If you have questions about the checklist, please contact your local Department of Natural Resources' regional office or your forest practices forester.

If the project needs a Hydraulic Project Approval permit, the project sponsor can submit an application to Department of Fish and Wildlife's new Aquatic Protection Permitting System (APPS) here: <http://wdfw.wa.gov/licensing/hpa/>. If permits are required from multiple agencies, including the Hydraulic Project Approval permit, then sponsors may use the Joint Aquatic Resources Permit Application, known as the JARPA. Information can be found at the [One-Stop JARPA Resource Center](#).

The sponsor is strongly encouraged to work with the local Department of Natural Resources' forest practices forester and Washington Department of Fish and Wildlife habitat biologist during the early stages of project development to avoid delays when applying for project permits.

Cultural Resources

[Governor's Executive Order 05-05 \(EO 05-05\)](#), Archaeological and Cultural Resources, directs state agencies to review certain construction projects for potential impacts to

cultural resources³ 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 FFFPP 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.

When completing the project agreement materials, the project sponsor will be asked several questions about cultural resources at the project site. This information, along with the map showing the area of potential effect, will be used to conduct cultural resources review. This review can be completed only after the agreement materials are completed in PRISM.

If during cultural resources review it is determined a cultural resources survey is required, RCO will contact the project sponsor to inform them a survey is necessary. The survey must be completed and the results sent to RCO before any ground-disturbing activities occur at the project site. Ground-disturbing activities for any project that occur before the completion of the cultural resources review process are not eligible for reimbursement.

Important Note: If the sponsor has a project that will involve ground disturbance (such as geotechnical excavation, demolition, fence installation, etc.) be sure to indicate these activities in the grant application and that RCO is aware of this work before going under agreement. This will help ensure the appropriate review is conducted for the project.

Reimbursement and Eligible Costs

The FFFPP is a reimbursement grant program. *RCO Manual 8, Reimbursements* describes in detail the RCO reimbursement policies. Project sponsors will have to incur costs up-front and provide expenditure documentation to RCO for reimbursement. *Manual 5, Restoration Projects* describes eligible construction and administrative costs.

RCO will reimburse sponsors within 30 days of receipt of a complete and accurate invoice, though most payments are processed within 2 weeks. The last 10 percent of

³Cultural resources means archeological and historical sites and artifacts, and traditional areas or items of religious, ceremonial, and social uses to affected tribes.

project costs will be retained until a final inspection has been conducted and all project deliverables are completed.

Any significant change orders during the construction of the project must be submitted and approved in advance by RCO.

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

The final billing must be accompanied by a final report. All billings and reports are submitted through PRISM.

Landowner Cost Share (Match)

The landowner may be required to provide a matching share towards the project. The Department of Natural Resources will determine if a project is required to provide a cost share. The landowner will be informed of the cost share and the project agreement will outline the landowner's cost share requirement. RCO will reimburse only expenses incurred by the project sponsor. Expenditures by a third party are ineligible. If your match involves contributions by a third party, contact RCO to make sure the match is eligible.

More detail on eligible matching funds can be found in *RCO Manual 8, Reimbursements*.

Examples of eligible cost share are listed below:

- Appropriations or cash
- Corrections labor
- Donations—equipment, land, labor, materials
- Force account—the value of using sponsor's equipment, labor, or materials
- Grants—local, state, federal, private

Pre-Agreement Costs

Before entering into an agreement with RCO, the project sponsor will conduct project-related activities such as landowner meetings and on-site consultation with the project engineer and permitting agencies. These activities are considered pre-agreement costs and the project sponsor can request reimbursement for these costs once the project is under agreement.

Amendments

Cost Increases

On occasion, the cost of completing a project exceeds the amount written into the project agreement. Project sponsors should contact their RCO grants managers and discuss potential cost increases. If it is decided a cost increase is warranted, the project sponsor should provide a written request to RCO stating the amount of funding needed and a description of why the additional funds are needed. If funds are available, and the increased costs are determined to be eligible expenses, a cost increase will be considered by the steering committee and Fish Passage Team.

Time Extensions

Projects are typically completed in 1 year. Project milestone dates, including a project completion date, are written into the project agreement. If your milestones dates change, please contact your RCO grants manager or request a time extension through a PRISM progress report. Sponsors are required to submit progress reports via PRISM twice a year. Sponsors will need to update project milestones via the progress report.

Reporting

Progress Reports

Sponsors are required to enter two progress reports a year for all funded projects using the PRISM online progress reporting tool. Progress reports are identified in the project agreement milestone dates. The progress report must answer the following five questions:

- Are there any significant challenges that might hinder progress on meeting the project milestones?
- What work was accomplished during the reporting period?
- Does the sponsor anticipate any changes to the project?
- What work is planned for the next reporting period?
- Does the sponsor anticipate the need to request an amendment to the project agreement in the next 6 months?

PRISM automatically e-mails the sponsor when a report is due. RCO staff can provide feedback on the report or ask for clarification of submitted information. For more information and [training on the PRISM online reporting tools](#) see the RCO Web site.

Final Report

Sponsors are required to complete and submit final reports in PRISM at the completion of their projects. See the next section for details.

Section 4: Completing a Project

In this section, you'll learn about:

- ✓ Site inspections
- ✓ Project closeout procedures
- ✓ Site maintenance and long-term obligations

Site Inspections

Interim

Interim inspections, normally coordinated with the sponsor and/or project engineer, may be made during project implementation to help resolve any apparent or anticipated problems and to monitor project progress.

Final

Once construction is complete, the project sponsor schedules a final site visit with RCO. This should occur after all elements of the project scope have been completed and the sponsor is ready to invoice for final payment. The final site inspection is intended to ensure that all project elements have been completed as per the permitted design and as described in the project scope of work.

Post Project

Post project inspections occur by the project sponsor and RCO, to inspect completed work and to monitor long-term success of the completed project. Except in case of emergency, at least 48 hour notice shall be given to the landowner before entry.

Project Closure

The final site inspection is the first step in closing out a completed project. If no changes are required as a result of the final inspection, the project sponsor can submit the final

report and final invoice in PRISM. The project sponsor also should ensure that all of the required documents have been attached in PRISM.

Materials Required for Project Closure

- Landowner agreement
- Final design/as-builts
- Final report in PRISM
- Final invoice

Final Report

Sponsors are required to complete and submit final reports in PRISM Online when they complete their projects. Sponsors are asked to provide final project descriptions, narratives, and information about the scope and costs of the project. Sponsors will verify or update metrics reported through earlier progress reports and billings.

RCO staff can return a report to provide feedback or ask for clarification of the information submitted. RCO staff will determine whether any amendments will be required before closing a project.

The project agreement includes the deadline for the PRISM final report. PRISM will automatically e-mail sponsors when the report is due. For more information and [training](#) on the new PRISM online reporting tools see the RCO Web site.

Site Maintenance and Long-term Obligations

The RCO landowner agreement is between the landowner and project sponsor and is in place for 10 years and covers the constructed project. The purpose of this agreement is to identify and confirm the terms, conditions, and obligations agreed upon between the grant sponsor, who is undertaking a project funded by RCO, and the landowner, who owns the property on which the project will take place. *Manual 7, Long-term Obligations* includes information on the project agreement and project compliance.

In addition to the RCO requirements, the landowner is required to maintain fish passage in perpetuity as specified by [Revised Code of Washington 77.57.030](#). If you have any questions about this requirement, contact the Department of Fish and Wildlife.

Appendix A: Application Authorization Form



The [Application Authorization Form](#) may be downloaded from the RCO Web site.

Appendix B: Landowner Acknowledgement Form



The [Landowner Acknowledgement Form](#) may be downloaded from the RCO Web site.

Appendix C: Landowner Agreement Form



The [Landowner Agreement Form](#) may be downloaded from the RCO Web site.

Appendix D: Barrier Information Forms



The [Barrier Information Forms](#) may be downloaded from the RCO Web site.