

Salmon Recovery Funding Board

Individual Comment Form



Lead Entity:	Pierce County Lead Entity
Project Number:	15-1159
Project Name:	Chambers Dam Acquisition
Project Sponsor:	Forterra
Grant Manager:	Kay Caromile

	Date	Status ¹
Post-Application		
Final	9/23/15	Clear

PROJECT SUMMARY *(for Review Panel reference only)*

Forterra and its partners propose the acquisition of the Chambers Creek dam, located approximately three quarters of a mile upstream from the mouth of the Chambers Creek between Lakewood and University Place in Pierce County. The project location is within the main stem of Chambers Creek and is within tidal influence of Puget Sound. Once acquired, Forterra and its partners would develop a dam removal and mitigation plan. Input on that plan would be provided by all stakeholders, including jurisdictions and co-managers (i.e. WDFW, NOAA, Native American tribes). While the Dam is not a fish passage barrier (there are fish ladders that allow for passage), it is an impediment to passage that allows for increased predation from marine mammals; it has also been documented that salmon have gotten trapped on the gangway along the top of the dam. Dam removal would help restore salmonid habitat to the lower four miles of Chambers Creek, particularly for Coho, Steelhead, and Winter Chum. The Chambers Creek estuary in which the Dam is located is the major estuarine feature between the Nisqually River and the Tacoma Narrows. Given the current lack of habitat structure and food production inside the estuary, this historically important habitat feature now provides limited refuge, rearing and foraging capacity for migrating salmonids. Restoration of this estuary – particularly the removal of the Dam – would benefit several target species, including coho and chum salmon, steelhead and smelt.

FINAL REVIEW PANEL COMMENTS

Date: 9/23/15

Final Project Status: Clear

Review Panel Member(s): Full Panel Review

1. If the project is a POC, please identify the SRFB criteria used to determine the status of the project:
2. If the project is Conditioned, the following language will be added to the project agreement:
3. Other comments:

POST-APPLICATION REVIEW PANEL COMMENTS

Date:

Project Status: Click to choose a status

Review Panel Member(s):

1. If the project is a POC, identify the SRFB criteria used to determine the status of the project:
2. If the project is a POC, identify the changes that would make this a technically sound project:
3. If the project is Conditioned, the following language will be added to the project agreement:
4. General comments:

¹ CLEAR: Cleared to proceed; CONDITIONED: Cleared to proceed with a condition; NMI: Needs More Information; POC: Project of Concern; NOTEWORTHY: Exemplary Project

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SPONSOR RESPONSE INSTRUCTIONS:

If your project is not cleared (i.e. has a status of NMI, Conditioned, or POC) you must update your proposal, PRISM questions, or attachments as necessary to address the review panel's comments. Use track changes when updating your proposal. Fill out the section at the end of your project proposal to document how you responded to comments.

DRAFT APPLICATION / SITE VISIT REVIEW PANEL COMMENTS

Date: 5/15/2015

Project Site Visit?

Yes No

Review Panel Member(s): Marnie Tyler and Paul Schlenger

1. Recommended improvements to make this a technically sound project according to the SRFB's criteria:

Removing Chambers Dam is specifically identified as a high priority near-term action in the WRIA 12 Salmon Habitat Protection and Restoration Strategy and is described as the 'single most important action' to improve naturally spawning Chinook and steelhead production in the lower four miles of Chambers Creek, which is identified in the strategy as a high priority area for restoration. Removing the dam would also benefit Chambers Creek coho and chum. The panel applauds the sponsor for developing excellent partnerships for pursuing this work, bringing together groups with expertise in acquisition, habitat restoration, and dam removal. Many key issues need to be resolved however in order for this project to be funded by SRFB. Chief among them is resolving uncertainties about ownership of the structure and understanding any lease obligations. SRFB funds cannot be used to acquire a structure without written approval of the RCO Director. Work closely with your grant manager to identify the documentation that the agency will need in order to consider your request.

It is a complicated site, especially given that the structure itself is owned by someone (private) other than the owner of the land on which the structure is located (Pierce County), WDFW owns and operates one fish ladder, and multiple tribes benefit from the Chinook salmon fishery in the estuary. Further, the dam was built in the 1930s and is showing signs of disrepair (crack visible near top of dam). Given the apparent structural condition, the applicant is encouraged to include a structural analysis of the dam in the scope of your proposal. This will provide seemingly useful information for both the appraisal and for your organization to have more complete information on the potential risks associated with owning the structure. Related to the potential liabilities associated with the dam, the proposal indicates that there is a possibility that the dam could be deeded to the applicant. Please explain this potential approach and how it does or does not affect the amount of money necessary to transfer ownership of the dam.

Additionally, the panel will need to see documentation of the following to evaluate feasibility of the project and likelihood of success:

- Stakeholder reactions. As noted this is a very complex site with a wide variety of stakeholders (adjacent, upstream, and downstream landowners, fish harvest and hatchery interests). Most importantly, dialogue between the co-managers needs to occur and consensus reached on removing the dam as it may affect tribal fisheries. The sponsor indicated that the Northwest Indian Fisheries Commission has offered to facilitate this discussion. How about other stakeholders? Please list the known stakeholders affected by this proposal, indicate which have been contacted so far and describe what has been their reaction.
- Prior to final application, initial outreach needs to occur to WDFW regarding hatchery operations at the dam. Darric Lowery (360.902.2425) should be contacted at WDFW for further discussion. It is the review panel's understanding that WDFW is open to considering alternative means of collecting broodstock at this facility so that structures currently used for this purpose at the site could be demolished. However these ideas need to be fleshed out and additional WDFW approvals must be sought.

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- More complete information on the budget and scope of work is needed. The level of effort proposed is smaller than expected for such a complex feasibility analysis. During the site visit, the sponsor indicated that additional effort is needed and will be funded separately. To fully evaluate the certainty of success for the project, it will be helpful to have a complete understanding of the work the sponsor anticipates conducting to inform the decision of whether to proceed with the sale or not. Please provide a detailed scope of work in 5B of the project proposal for the feasibility study/stakeholder outreach portion of the proposal and a detailed list of all planning project deliverables. In addition and if available, please provide a picture of the overall project budget through all phases and restoration. Include your estimation of the total project cost for all phases, not just the acquisition itself. When budgeting for dam removal, be aware that you may have to mitigate for loss of wetlands. A preliminary conversation with the USACE may provide insight to the permit responsibilities and likely mitigation costs that could be encountered. PSNERP Conceptual Design for the site could inform the overall project budget estimate.
- The scope of your feasibility study should include a characterization of the sediment that has accumulated behind the dam. This will be essential for evaluating restoration options and costs. Are the sediments contaminated? Coordination with Washington Department of Ecology will be necessary on the sampling design and how the results affect how impounded sediments are handled in restoration (e.g., allowed to be transported and/or removed and disposed of offsite). The area has experienced intense anthropogenic influence from industrial, residential, and commercial uses. What is the volume of accumulated material? A sediment transport model may be needed to evaluate the best method for dam breach/removal and sediment management.
- Provide a map or maps showing the anticipated spatial extent of the restoration plan, sediment transport model analysis, and survey.
- Provide a map showing land and structure ownership around dam and upper estuary.
- Clarify in the proposal the water rights and dependent uses potentially affected by removal of the dam.
- The dam has two fish ladders. One is owned by WDFW. Ownership of the other fish ladder is not clear in the proposal materials. Please describe what is known about the ownership of the second fish ladder (south bank) and/or the approach to identifying the owner (if owned separately from rest of dam).

Removal of the dam and restoration of the upper estuary would benefit listed salmonids from the watershed and potentially from other watersheds. Given the number of uncertainties surrounding the acquisition and the restoration needs of the site, consider (this is not a requirement) changing this from an acquisition and planning grant to acquisition assessment and planning grant. Acquisition assessment means that the sponsor does all the preliminary work to determine the value of the acquisition and obtain a purchase and sale agreement (if appropriate). Sponsor can then move forward with an acquisition grant once the value is known. It would provide a means to resolve questions surrounding ownership, tribal fisheries, sediment qualities, potential mitigation costs, and other unknowns. The sponsor would then be in a strong position to secure funding for acquisition and restoration in future grant rounds.

Please incorporate the following in the proposal:

- Clarify why the land around the structure is not included in the acquisition.
- Add the distance to the next fish passage barrier upstream.

2. Missing Pre-application information.

Include coarser scale map to show parcel within context of watershed.

3. General Comments:

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The proposal is generally well written and does a particularly good job of identifying limiting factors in terms of species and life stage.

Staff Comments:

PRIOR to final application (as soon as you can so that we can determine eligibility):

1. Please attach a parcel map in PRISM (and let me know it's there) that clearly shows ownership of the land (and structures) in the vicinity.
2. Please attach a letter or word document in PRISM (and let me know it's there) that explains why acquisition of the structure is necessary in order for the project to proceed. We routinely remove roads, culverts, and levees on private property with a landowner agreement (no monetary compensation) and do not acquire the structure. Please explain how this is different.
3. In that same letter or word document, please explain how the value of the structure will be appraised.

For Final Application:

4. Please attach a landowner acknowledgement form from Pierce County (underlying landowner) and WDFW (adjacent but intricately related property/structure owner).
5. Please be sure to address all comments I provided when I reviewed the application in April (if you haven't already done so), along with completing all other final application requirements listed in Section 3 of RCO Manual 18 http://www.rco.wa.gov/documents/manuals&forms/Manual_18.pdf. All changes to your proposal should be made using "Track Changes" in Word.



SPONSOR RESPONSE INSTRUCTIONS:

Revise your project proposals using "track changes" and update any relevant PRISM questions and attachments. Fill out the section at the end of your project proposal to document how you responded to comments.