

1. **Award No.**  
693JJ32440510
2. **Effective Date**  
See No. 17 Below
3. **Assistance Listings No.**  
20.933
4. **Award To**  
Lewis County Public Works  
57 W Main St  
Chehalis, WA 98532  
Unique Entity Id.: PAEFFMRVTLZ6  
TIN No.: 91-60001351
5. **Sponsoring Office**  
U.S. Department of Transportation  
Federal Highway Administration  
Office of Bridges & Structures  
1200 New Jersey Avenue, SE  
Washington, DC 20590
6. **Period of Performance**  
Effective Date of Award – 36  
months from effective date of award
7. **Total Amount**  
Federal Share: \$211,563.70  
Recipient Share: \$ 52,890.92  
Total: \$264,454.62
8. **Type of Agreement**  
Grant
9. **Authority**  
49 U.S.C. § 6703
10. **Procurement Request No.**  
HIF240109PR
11. **Federal Funds Obligated**  
\$211,563.70
12. **Submit Payment Requests To**  
See Article 18 of the General Terms and  
Conditions.
13. **Payment Office**  
See Article 18 of the General Terms and  
Conditions.
14. **Accounting and Appropriations Data**  
15X0733B50.0000.050V733500.5201000000.41010.61006600.0000000000.0000000000.00000000  
00.0000000000
15. **Description of Project**  
The Allen Creek at Newaukum Valley Road Fish Passage Design Project will provide a  
design to replace a fish passage barrier with a fish passage structure.

**RECIPIENT****16. Signature of Person Authorized to Sign**

6/3/24

Signature \_\_\_\_\_ Date

Name: Josh Metcalf

Title: Director, Lewis County Public Works

**FEDERAL HIGHWAY ADMINISTRATION****17. Signature of Agreement Officer**RYAN JOSEPH BUCK  
Digitally signed by RYAN  
JOSEPH BUCK  
Date: 2024.06.12  
14:57:53 -04'00'

6/12/24

Signature \_\_\_\_\_ Date

Name: Ryan Buck

Title: Agreement Officer

**FEDERAL HIGHWAY ADMINISTRATION**  
**GRANT AGREEMENT UNDER THE**  
**FISCAL YEAR 2022 CULVERT AOP PROGRAM**

This agreement is between the Federal Highway Administration (the “**FHWA**”) and the Lewis County Public Works (the “**Recipient**”).

This agreement reflects the selection of the Recipient to receive a Culvert AOP Grant for the Allen Creek at Newaukum Valley Rd Fish Passage Design Project.

If schedule A to this agreement identifies a Designated Subrecipient, that Designated Subrecipient is also a party to this agreement, and the parties want the Designated Subrecipient to carry out the project with the Recipient’s assistance and oversight.

The parties therefore agree to the following:

**ARTICLE 1**  
**GENERAL TERMS AND CONDITIONS.**

**1.1 General Terms and Conditions.**

- (a) In this agreement, “**General Terms and Conditions**” means the content of the document titled “General Terms and Conditions Under the Fiscal Year 2022 Culvert AOP Program: FHWA Projects,” dated 12/11/2023, which is available at the [Culvert AOP Program Website](#) under [General Terms and Conditions](#). The General Terms and Conditions reference the information contained in the schedules to this agreement. The General Terms and Conditions are part of this agreement.
- (b) The Recipient states that it has knowledge of the General Terms and Conditions.
- (c) The Recipient acknowledges that the General Terms and Conditions impose obligations on the Recipient and that the Recipient’s non-compliance with the General Terms and Conditions may result in remedial action, terminating of the Culvert AOP Grant, disallowing costs incurred for the Project, requiring the Recipient to refund to the FHWA the Culvert AOP Grant, and reporting the non-compliance in the Federal-government-wide integrity and performance system.

**ARTICLE 2**  
**SPECIAL TERMS AND CONDITIONS.**

**2.1 Special Terms**

There are no special terms for this award.

**SCHEDULE A**  
**ADMINISTRATIVE INFORMATION**

**1. Application.**

Application Title: 2022 Culvert Aquatic Organism Passage Program Submittal for the Allen Creek At Newaukum Valley Rd Fish Passage Design

Application Date: February 3, 2023

**2. Recipient's Unique Entity Identifier.**

See section 28.3 of the General Terms and Conditions.

**3. Recipient Contact(s).**

Josh Metcalf  
Director  
Lewis County Public Works  
57 W Main St  
Chehalis, WA 98532  
(360) 740-2762  
[Josh.Metcalf@lewiscountywa.gov](mailto:Josh.Metcalf@lewiscountywa.gov)

**4. Recipient Key Personnel.**

| Name             | Title or Position        |
|------------------|--------------------------|
| Ann Weckback     | Environmental Planner    |
| Robin Saline     | Contract Administrator   |
| Trevor Alexander | AA/Grants Administrator  |
| Eena Wiest       | Administrative Assistant |

**5. FHWA Project Contact(s).**

Ryan Buck  
Agreement Officer (AO)  
Federal Highway Administration  
Office of Acquisition and Grants Management  
HCFA-32, Mail Stop E62-310  
1200 New Jersey Avenue, S.E.  
Washington, DC 20590  
202-366-4229  
[Ryan.Buck@dot.gov](mailto:Ryan.Buck@dot.gov)

and

Division Administrator – Washington  
Agreement Officer's Representative (AOR)  
711 Capital Way S. Suite 501  
Olympia, WA 98501  
(360)753-9480  
[hdawa@dot.gov](mailto:hdawa@dot.gov)

and

Boem Kim  
Southwest Region Area Engineer  
FHWA Washington Division  
711 Capitol Way S. Suite 501  
Olympia, WA 98501  
[Boem.Kim@dot.gov](mailto:Boem.Kim@dot.gov)  
(360) 753-9418

**6. Payment System.**

FHWA Payment System: DELPHI eInvoicing

**7. Office for Subaward and Contract Authorization.**

FHWA Office for Subaward and Contract Authorization: FHWA Office of Acquisition and Grants Management

**SUBAWARDS AND CONTRACTS APPROVAL**

Note: See 2 CFR § 200.331, Subrecipient and contractor determinations, for definitions of subrecipient (who is awarded a subaward) versus contractor (who is awarded a contract).

NOTE: This clause is only applicable to grants that do not include construction.

In accordance with 2 CFR 200.308(c)(6), unless described in the application and funded in the approved award, the Recipient must obtain prior written approval from the AO for the subaward, transfer, or contracting out of any work under this award above the Simplified Acquisition Threshold. This provision does not apply to the acquisition of supplies, material, equipment, or general support services. Approval of each subaward or contract is contingent upon the Recipient's submittal of a written fair and reasonable price determination, and approval by the AO for each proposed contractor/sub-recipient. Consent to enter into subawards or contracts will be issued through written notification from the AO or a formal amendment to the Agreement.

The following subawards and contracts are currently approved under the Agreement by the AO. This list does not include supplies, material, equipment, or general support services which are exempt from the pre-approval requirements of this clause.

(Fill in at award or by amendment)

**8. Federal Award Identification Number.**

See section 28.2 of the General Terms and Conditions.

**9. Designated Subrecipient.**

Designated Subrecipient:     None

## **SCHEDULE B PROJECT ACTIVITIES**

### **1. General Project Description.**

The Allen Creek at Newaukum Valley Road Fish Passage Design Project will provide a design to replace a fish passage barrier with a fish passage structure.

### **2. Statement of Work.**

Lewis County Public Works' Allen Creek at Newaukum Valley Rd Fish Passage Design project proposes to provide a final design to remove an existing fish passage barrier at river mile 0.56 of Allen Creek on Newaukum Valley Rd at MP 2.366 and replace it with a fish passable structure.

This proposed fish passable structure, once constructed, is anticipated to restore immediate access to 2.43 miles of habitat for the Southwest Washington Evolutionarily Significant Unit (ESU) of coho salmon (*Oncorhynchus kisutch*) and 1.67 miles of habitat for the Southwest Washington Distinct Population Segment (DPS) of winter steelhead trout (*Oncorhynchus mykiss*). According to the Chehalis Fish Passage Barrier Prioritization interactive mapper total accessible habitat above this culvert once all upstream barriers are removed will be 16.97 linear miles for coho salmon and 12.14 miles for steelhead trout. Additional habitat elements anticipated to be included in the design are the placement of large woody debris structures and the installation of a low flow notch within the area of channel regrade. Preliminary project permitting and acquisition of right-of-way are also included in this phase of the project.

**SCHEDULE C**  
**AWARD DATES AND PROJECT SCHEDULE**

**1. Award Dates.**

Budget Period End Date: 36-months from effective date of award

Period of Performance End Date: See section 28.5 of the General Terms and Conditions

**2. Estimated Project Schedule.**

| Milestone                        | Schedule Date                          |
|----------------------------------|----------------------------------------|
| Planned Project Completion Date: | 36 months from effective date of award |

**3. Special Milestone Deadlines.**

None.

**SCHEDULE D**  
**AWARD AND PROJECT FINANCIAL INFORMATION**

**1. Award Amount.**

Culvert AOP Grant Amount: \$211,563.70

**2. Federal Obligation Information.**

Federal Obligation Type: Single

**3. Approved Project Budget.**

| <b>Eligible Project Costs</b> |                     |
|-------------------------------|---------------------|
|                               | <b>Total</b>        |
| Culvert AOP Funds:            | \$211,563.70        |
| Other Federal Funds:          | \$0.00              |
| Non-Federal Funds:            | \$52,890.92         |
| <b>Total:</b>                 | <b>\$264,454.62</b> |

**4. Cost Classification Table**

| <b>Cost Classification</b>         | <b>Total Costs</b>  | <b>Non-Culvert<br/>AOP<br/>Previously<br/>Incurred<br/>Costs</b> | <b>Eligible Costs</b> |
|------------------------------------|---------------------|------------------------------------------------------------------|-----------------------|
| Administrative and legal expenses  | \$24,041.33         |                                                                  | \$24,041.33           |
| Architectural and engineering fees | \$240,413.29        |                                                                  | \$240,413.29          |
| <b>Project Total</b>               | <b>\$264,454.62</b> |                                                                  | <b>\$264,454.62</b>   |

**SCHEDULE E**  
**CHANGES FROM APPLICATION**

**Scope:**

The only proposed change in scope would be to remove right-of-way and shift costs into engineering as the proposed engineering costs have increased and the recipient proposed to cover 100 percent of the right-of-way costs.

**Schedule:**

There are no changes.

**Budget:**

There are no changes.

**Other:**

There are no other notable changes from the application.

**SCHEDULE F**  
**CULVERT AOP PROGRAM DESIGNATIONS**

**1. Urban or Rural Designation.**

Urban-Rural Designation: Rural

**2. Capital or Planning Designation.**

Capital-Planning Designation: Planning

**3. Security Risk Designation.**

Security Risk Designation: Low

**SCHEDULE G**  
**CULVERT AOP PERFORMANCE MEASUREMENT INFORMATION**

**Study Area:** The study area will include surveyed cross sections of the stream channel approximately 300 feet upstream and downstream of the existing barrier culvert.

**Baseline Measurement Date:** 7/15/2025

**Baseline Report Date:** 9/15/2025

**Table 1: Performance Measure Table**

| Measure        | Description                         | Measurement Frequency         |
|----------------|-------------------------------------|-------------------------------|
| Structure Span | Identify minimum new structure span | At Completion of Final Design |

## **SCHEDULE H**

### **CLIMATE CHANGE AND ENVIRONMENTAL JUSTICE IMPACTS**

#### **1. Consideration of Climate Change and Environmental Justice Impacts.**

The Recipient has described actions to consider climate change and environmental justice impacts of the Project in their application that were identified as part of the application review. *(Identify the relevant actions from the application below.)*

#### **2. Supporting Narrative.**

It is anticipated that the minimum span for the new structure will be 29.08 ft as the structure size will account for an 8.34 percent increase in bankfull width (20.83 ft) to address climate change per the Culverts and Climate Change web app (<https://culverts.wdfw-fish.us/>) and the stream simulation design is anticipated to be used (<https://wdfw.wa.gov/sites/default/files/publications/01501/wdfw01501.pdf>).

The culvert will be countersunk to accommodate future vertical profile adjustment. In addition, the fish passable structure will be designed to withstand a 100-year flow event (including additional flow for climate change) and provide clearance for large woody material.

The increased hydraulic opening is anticipated to aid in improving floodplain connectivity, thereby reducing erosion and improving water quality.

The waterways of the Pacific Northwest have long been a source of sustenance for the region's historic pre-contact occupants and salmonids in particular continue to play an important role in the customs of the region's Native American Tribes where they hold strong cultural significance as a traditional food source. In Lewis County, salmonids, including the Southwest Washington ESU of coho salmon and the Southwest Washington ESU of winter steelhead trout, are among the most popular fish species caught and used by Lewis County residents for food and recreation.

Furthermore, Lewis County has become a destination for recreational anglers from outside of the region, who provide economic benefits to the local and often underserved rural economy. By providing a design for a fish passable structure with the aim of ultimately providing for continued resilience and restoration of salmonids in the region, the project is anticipated to uphold the cultural character and economic sustainability of an intimate region-wide relationship with salmonids.

**SCHEDULE I**  
**RACIAL EQUITY AND BARRIERS TO OPPORTUNITY**

**1. Efforts to Improve Racial Equity and Reduce Barriers to Opportunity.**

The Recipient has described actions to consider climate change and environmental justice impacts of the Project in their application that were identified as part of the application review. *(Identify the relevant actions from the application below.)*

**2. Supporting Narrative.**

Lewis County has a Title VI Plan which was approved by WSDOT on July 27, 2023, as meeting the requirements under Title 23, Code of Federal Regulations (CFR), Part 200 and 49 CFR 21, as well as the provisions of Executive Order 12898 on Environmental Justice and Executive Order 13166 on Limited English Proficiency. No actions to consider racial equity and/or reducing barriers to opportunity were identified in the application.

## SCHEDULE J LABOR AND WORK

### 1. Efforts to Support Good-Paying Jobs and Strong Labor Standards

The Recipient states that rows marked with “X” in the following table are accurate:

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|---|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| X | The Recipient or a project partner promotes robust job creation by supporting good-paying jobs directly related to the project with free and fair choice to join a union. <i>(Describe robust job creation and identify the good-paying jobs in the supporting narrative below.)</i>                                                                                                                                                                                                                                                                                               |
|   | The Recipient or a project partner will invest in high-quality workforce training programs such as registered apprenticeship programs to recruit, train, and retain skilled workers, and implement policies such as targeted hiring preferences. <i>(Describe the training programs in the supporting narrative below.)</i>                                                                                                                                                                                                                                                        |
|   | The Recipient or a project partner implements targeted hiring preferences that will promote the entry and retention of underrepresented populations into those jobs including women, people of color, and people with convictions. <i>(Describe the use of targeted hiring preferences that will promote the entry and retention of underrepresented populations in jobs in the supporting narrative below.)</i>                                                                                                                                                                   |
|   | The Recipient or a project partner will partner with high-quality workforce development programs with supportive services to help train, place, and retain underrepresented communities in good-paying jobs or registered apprenticeships including through the use of local and economic hiring preferences, linkage agreements with workforce programs that serve underrepresented groups, and proactive plans to prevent harassment. <i>(Describe the supportive services provided to trainees and employees, preferences, and policies in the supporting narrative below.)</i> |
|   | The Recipient or a project partner will partner and engage with local unions or other worker-based organizations in the development and lifecycle of the project, including through evidence of project labor agreements and/or community benefit agreements. <i>(Describe the partnership or engagement with unions and/or other worker-based organizations and agreements in the supporting narrative below.)</i>                                                                                                                                                                |
|   | The Recipient or a project partner will partner with communities or community groups representative of historically underrepresented groups to develop workforce strategies. <i>(Describe the partnership and workforce strategies in the supporting narrative below.)</i>                                                                                                                                                                                                                                                                                                         |
|   | The Recipient has taken other actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards. <i>(Describe those actions in the supporting narrative below.)</i>                                                                                                                                                                                                                                                                                                                                   |
|   | The Recipient has not yet taken actions related to the Project to create good-paying jobs with the free and fair choice to join a union and incorporate strong labor standards but, before beginning construction of the Project, will take relevant actions described in schedule B. <i>(Identify the relevant actions from schedule B in the supporting narrative below.)</i>                                                                                                                                                                                                    |

|  |                                                                                                                                                                     |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | The Recipient has not taken actions related to the Project to improve good-paying jobs and strong labor standards and will not take those actions under this award. |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**2. Supporting Narrative.**

It is anticipated the project will maintain 0.94 12-month full time equivalent employees (FTE)s. Continued employment of local professionals will strengthen their credentials and support long-term employment opportunities within the community.

Lewis County Public Works engages with Washington State Council of County and City Employees and Local 1341 of the American Federation of State, County, and Municipal Employees (AFSCME), AFL CIO as well as Teamsters Local Union No. 252.

Lewis County Public Works currently has posted job opportunities for a Senior Engineer in Development Review and a Senior Engineer for Surface Water and Utilities both of which are Teamers 252 positions.

**SCHEDULE K  
CIVIL RIGHTS AND TITLE VI**

**1. Recipient Type Designation.**

Recipient Type Designation: Existing

Existing Award Program: 20.205; Highway Planning and Construction

**2. Title VI Assessment Information.**

This section is not applicable because the Recipient Type Designation is “Existing.”