

Puget Sound Nearshore Ecosystem Restoration Project (PSNERP) Frequently Asked Questions for Project Proponents



Stretching 2,500 miles, the shoreline of Puget Sound provides unique habitat for a wide array of plants and animals, all living in close proximity to the region's growing human population. Some man-made structures – such as bulkheads, roads and bridges, fill material, dikes and levees – can interfere with the natural processes of the shoreline, reducing its capacity to support healthy plant and animal communities. Since the late 1800s, human activities have reduced the Sound's shoreline by 430 miles and more than a quarter of what remains has been armored, affecting tidal actions, the movement of sediment and other natural processes.

Since 2001, the Puget Sound Nearshore Ecosystem Restoration Project (PSNERP) has been working to identify science-based solutions to these problems that will help restore the ecological integrity of the Sound's shorelines. Partners in this effort include the Washington Department of Fish and Wildlife (WDFW) and the U.S. Army Corps of Engineers (Corps), working in conjunction with other state and local agencies, tribal governments and non-profit organizations to put these plans into action. Restoration projects to be funded and implemented through PSNERP are designed to support the nearshore component of the Action Agenda developed by the Puget Sound Partnership.

1. How will PSNERP put its plans into action?

The PSNERP study team developed [conceptual engineering designs](#) for [36 projects](#) designed to maximize environmental benefits through removal of specific man-made structures that damage the beaches, bays and river deltas of Puget Sound. From this initial list, eleven projects have been identified as cost-effective. PSNERP expects to wrap up the feasibility phase of the General Investigation (GI) in Fall 2014. This phase culminates in a draft feasibility report/environmental impact statement (DFR/EIS) that, once approved by the Corps, will be presented to Congress for authorization as part of a future Water Resources Development Act (WRDA). WRDA authorizations create the opportunity for the Corps to use federal resources on specific projects that promote national interests, such as flood control, navigation, and environmental restoration.

The subset of eleven cost-effective projects selected by PSNERP for further consideration represents an array of project types primarily in north eastern Puget Sound. (See www.pugetsoundnearshore.org/selected_plans.html for a project map.) Many of these projects were initially identified by local restoration groups (project proponents) as priorities for their communities.

2. When will the projects be constructed?

Construction on some projects is expected to begin in approximately five years, although the timeline depends on congressional authorization and funding. This is a two-step process: Congress must first authorize the Corps to receive federal funding, then appropriate the required funds to construct projects on the project list.

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All projects on the PSNERP list are currently in early phases of engineering and design, and more design work is required before construction can begin. Future designs must incorporate additional studies (e.g. hydrological, geotechnical) and public input. Because of the complexity of several projects on PSNERP's project list, it may take more than 20 years to complete them all.

3. What is the role of a local project proponent?

As with the feasibility phase of PSNERP that is concluding, WDFW will serve as the non-federal partner to the Corps in the next phase (preconstruction, engineering, and design [PED]). WDFW will partner with local project proponents who will be essential in informing the design process, linking with the community, and establishing the resources and support necessary to advance the project towards construction. A primary responsibility of the local project proponent will be to provide the lands (e.g., fee simple ownership, conservation easement) needed to complete the project. The local project proponent also needs to be willing and able to take responsibility for the project after construction and perform any necessary operations and maintenance related work. Prior to congressional authorization, local proponents will play an important role in generating support for projects among landowners, stakeholders and local communities.

4. How will costs be shared between the non-federal partner and the Corps?

Design and Construction phase partnerships are established once a cost-share agreement that outlines financial responsibilities is signed between WDFW and the Corps. Under this agreement, 65% of the project cost will be borne by the Corps and 35% will be borne by WDFW. WDFW will need the partnership of the local project proponent to meet the non-federal portion of the cost-share. The local project proponent provides all lands, easements, and rights-of-way, relocation and disposal (LERRD) that are required for construction of the project.

The fair market value of the LERRD will be counted toward the non-federal portion of the cost share. In some instances the value of the land and in-kind contributions will be sufficient to meet the 35% cost share requirement. Non-federal funds (i.e., cash) to complete work associated with the project can also be applied towards the cost share. Except under special circumstances, funds received from a federal grant or other federal source are not eligible as a match in the cost share. Work done and expenses incurred before an official cost share agreement is signed with the Corps cannot be applied toward the sponsor's cost-sharing requirements.

5. How will the PSNERP team work with private landowners within the various project areas?

Projects can progress to implementation only with willing landowners and partners. PSNERP does not have the authority or desire to claim eminent domain. PSNERP will work with project proponents to cultivate partnerships with landowners and understand

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their concerns. If and when a project advances through the design phases, landowners will have an opportunity to review and comment on the design.

6. How and when will community outreach be conducted?

Success in implementing PSNERP restoration activities depends on informing and engaging citizens, landowners, lawmakers and other interest groups. During PED, PSNERP will work with project proponents to identify needs for a public outreach strategy for each site. Ideally, this will be a team effort, in which priorities are established and responsibilities shared by PSNERP and local project proponents. Activities, such as public meetings, mailers, forums, one-on-one meetings, will depend on the needs associated with each of the projects on the PSNERP list.

PSNERP will follow all requirements of the National Environmental Policy Act (NEPA), and expects to announce a public comment period in Fall 2014. During the NEPA public comment period, the public will have an opportunity to comment on the environmental and related social and economic effects of the proposed actions.

7. Will there be opportunity to modify the current project designs?

PSNERP understands that some projects may contain elements of work that are not currently supported by all stakeholders. The conceptual designs were developed at a broad scale, so preliminary cost and ecosystem benefit information could be determined for each project. Since it is always easier to scale back a project than scale up, PSNERP erred on the side of including – rather than excluding – potential project elements in the conceptual design. Additional data collection and design work will be conducted in an upcoming phase once authorization is received from Congress.

8. How are projects ranked on the project list?

The PSNERP project list is not ranked. All of the projects on the list are determined by the Corps to be cost-effective and meet the PSNERP goals and objectives. Since it is unlikely that funds will be available to build all projects at once, projects that are most ready may be advanced to construction first. These projects would include those for which land agreements are in place, public and landowner support has been established, and there is a willing and engaged local project proponent.

9. Should project proponents continue to advance a project forward separately from the PSNERP process?

That is up to the local project proponent to decide. Because PSNERP's timeline for construction could extend several years into the future, project proponents may choose to advance or complete a project outside the PSNERP process. For everyone involved in restoring the ecological integrity of Puget Sound, the ultimate goal is successful project implementation regardless of funding source.

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However, studies or work completed to advance a project beyond the current PSNERP conceptual design would not be eligible for financial crediting towards the cost share before a cost sharing agreement has been signed. Project proponents who anticipate they may need the Corps' assistance in design and construction in the future through PSNERP should coordinate closely with the Corps and WDFW to ensure that any work done meets Corps design or construction requirements.

10. Can project proponents move funding to a different project?

PSNERP is not a grant program and does not have the means to shift funding to other projects. Congress authorizes a specific project list to which funds can be applied. If local sponsors have a different nearshore project they wish to pursue, it may be a candidate for inclusion in future PSNERP authorization requests. Or, they may wish to pursue funding through other programs available for nearshore restoration activities, such as WDFW's Estuary and Salmon Restoration Program (ESRP).

11. What about protecting functioning habitat? Is PSNERP involved in that effort, or is its primary focus restoring degraded ecological functions?

Protecting existing habitat is a critical part of restoring the health of the Puget Sound, and an important consideration for PSNERP. As a first step in developing a list of potential projects, the PSNERP study team developed a [Strategies Report](#) that identifies areas throughout Puget Sound that would benefit from protection, restoration, or enhancement activities.

Because the Corps is prohibited from using federal funds for property acquisition, PSNERP is focusing its attention on restoring degraded habitat and maintaining its condition after the work is completed. Meanwhile, the study team's science-based Strategic Report is helping to guide other efforts by WDFW, local governments, and other partners in protecting nearshore habitat in Puget Sound.

12. To what extent is PSNERP designed to recover Puget Sound salmon populations?

PSNERP is dedicated to restoring self-sustaining ecosystems in Puget Sound. This effort is expected to benefit a broad variety of species that use the nearshore area, including salmon, other fish, birds, orcas, and eelgrass. PSNERP's efforts are not focused on any one species, but many of the projects on its project list overlap with priorities identified in local salmon recovery plans. Restoration of Puget Sound will involve many groups focusing on different, but inter-related areas of interest.

13. How is the work of PSNERP related to the Puget Sound Partnership?

The Puget Sound Partnership (PSP) is a state government agency tasked with developing an Action Agenda for a healthy Puget Sound. The PSP coordinates activities

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among multiple organizations and tracks progress towards meeting recovery goals. PSP has identified the PSNERP study team as the organization responsible for nearshore-related issues. PSP uses information from PSNERP studies to inform its work in this area. PSNERP's work to advance strategic restoration is recognized as a "near-term action" important in contributing to the Action Agenda's goal of recovering the health of Puget Sound by 2020.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) Q&A

14. What is NEPA?

Using the NEPA process, agencies are required to determine if their proposed actions have significant environmental effects and to consider the environmental and related social and economic effects of their proposed actions. Notice of Availability is announced in the Federal Register and will identify any planned public meetings or hearings.

Purpose and Need: Agencies draft a "Purpose and Need" statement to describe what they are trying to achieve by proposing an action. The purpose and need statement explains to the reader why an agency action is necessary, and serves as the basis for identifying reasonable alternatives that meet the purpose and need.

Alternatives: The identification and evaluation of alternatives that meet the purpose and need of the proposed action is the heart of the NEPA analysis. Agencies are obligated to evaluate all reasonable alternatives or a range of reasonable alternatives in enough detail to allow comparison of the environmental effects of the various alternatives. Agencies must describe and analyze a "no action alternative." If an agency has a preferred alternative when it publishes a draft EIS, the draft must identify which alternative the agency prefers. PSNERP is evaluating three alternatives, including 1) no action, 2) a package of 11 restoration projects, and 3) a package of 18 restoration projects. The preferred alternative is the package of 11 restoration projects.

15. What is the anticipated NEPA timeline?

The NEPA Public Comment period is expected to occur in Fall 2014. It will include a 45-day public comment period. At least one public open house is anticipated during the public comment period that will be located in northern Puget Sound.

16. How can I participate in the NEPA public comment period?

The Draft Feasibility Report/Environmental Impact Statement will be available on the Corps' website with instructions on when and how to submit comments. The PSNERP website, www.pugetsoundnearshore.org will be updated to point to the appropriate Corps webpage. Hard copies of the document will be available for review in select local libraries and local government offices.

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17. What are the outcomes of NEPA?

The NEPA process must be completed before an agency makes a final decision on a proposed action. NEPA does not require the decisionmaker to select the environmentally preferable alternative or prohibit adverse environmental effects. Federal agencies often have other concerns and policy considerations to take into account in the decisionmaking process, such as social, economic, technical or national security interests. But NEPA does require that decisionmakers be informed of the environmental consequences of their decisions.

18. Will SEPA also be conducted?

WDFW plans to adopt the Final Environmental Impact Statement (FEIS) through the State Environmental Policy Act (SEPA) process. Under SEPA rules (WAC 197-11-630), no public comment period is required to adopt an existing EIS. Thus, agencies with jurisdiction and interested parties are encouraged to review the DFR/EIS during the NEPA public comment period during Fall 2014 and provide comments through the Corps' NEPA process.

Anticipated Timeline

- Fall 2014 – Draft Feasibility Report/Environmental Impact Statement completed
- Fall 2014 – DFR/EIS NEPA public comment period
- 2015 – Comments reviewed and addressed
- Fall 2015 – Report completed and submitted to Congress
- 2016* – Project authorized when next WRDA bill passes Congress
- 2017* – Preconstruction Engineering and Design work begins (phased)
- 2018* – Construction begins (phased)

* The timing of the next WRDA bill is unclear, therefore all dates including and beyond this step are shown assuming a WRDA bill is passed in 2016. Any delay in WRDA will impact the timeline for subsequent design and construction phases accordingly.

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