



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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**STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF SIGNIFICANCE
ADOPTION of EXISTING DOCUMENT**

Date of Issuance: June 28, 2023

Lead agency: WA Department of Ecology

Agency Contact: Connie Groven, connie.groven@ecy.wa.gov, 306-584-7037

Description of proposal: WA Department of Ecology (Ecology) is a member of the Port Angeles Harbor Natural Resource Trustee Council (Trustee Council). The Trustee Council is implementing a Damage Assessment and Restoration Plan¹ (DARP) for Port Angeles Harbor. As part of implementing this plan, the Trustees, including Ecology, will make decisions to fund restoration actions using settlement funds. Ecology is adopting the National Oceanic and Atmospheric Administration Restoration Center Final Programmatic Environmental Impact Statement (PEIS)² to satisfy State Environmental Policy Act (SEPA) requirements for funding decisions on habitat restoration projects consider in the PEIS.

Location of proposal: Port Angeles Harbor or other nearby areas of Puget Sound or the Straits of Juan de Fuca, Washington

Title of document being adopted: National Oceanic and Atmospheric Administration Restoration Center (NOAA RC) Final Programmatic Environmental Impact Statement (PEIS)

Date adopted document was prepared: June 20, 2015

¹Port Angeles Harbor Natural Resource Trustees (PAHNRT). 2021. Damage Assessment and Restoration Plan: Western Port Angeles Harbor, Final. Developed May 2021 by NOAA Damage Assessment, Remediation and Restoration Program, Seattle, Washington. 47 pp. <https://apps.ecology.wa.gov/cleanupsearch/document/99321>

² National Oceanic and Atmospheric Administration (NOAA). 2015. NOAA Restoration Center Programmatic Environmental Impact Statement. Prepared by the Office of Habitat Conservation, Silver Spring, MD. 298 pp. <https://www.fisheries.noaa.gov/resource/document/restoration-center-programmatic-environmental-impact-statement>

Description of document (or portion thereof) being adopted: To increase efficiency in conducting NEPA analyses for a large suite of habitat restoration actions, in 2015 the NOAA RC developed the *Programmatic Environmental Impact Statement (PEIS)* for habitat restoration activities implemented throughout the coastal United States. After a public comment period, a Record of Decision was signed July 20, 2015.

The PEIS provides a program-level environmental analysis of habitat restoration activities throughout the coastal and marine United States. Specifically, it evaluates typical impacts related to projects undertaken frequently by the NOAA RC, including, but not limited to: coral reef restoration; debris removal; beach and dune restoration; signage and access management; fish passage; fish, wildlife, and vegetation management; levee and culvert removal, modification, and set-back; shellfish reef restoration; subtidal planting; wetland restoration; freshwater stream restoration; and conservation transactions. When applicable, these analyses may be incorporated by reference in subsequent NEPA documents, to avoid redundant paperwork and analysis. In general, the actions analyzed in the PEIS are those with the potential for a variety of long-term benefits to fisheries and local communities, but which may have largely minor short-term adverse impacts that can be mitigated by best practices.

The PEIS defines an approach for determining if an action is consistent with the analyses therein. A trained specialist reviews available information about an action, including local, state, and federal permits, and completes an “Inclusion Analysis” to determine if the scope and impacts of the action are consistent with the PEIS or requires additional analysis. National program staff trained in NEPA compliance review that proposed determination. The responsible program official (i.e., the decision-maker for the action being proposed) then reviews staff findings and makes the appropriate final determination (NOAA documents this determination in an “Inclusion Memo”). This reduces redundant paperwork and analyses that would otherwise be required, draining resources from national restoration efforts.

The Trustees have concluded that the impacts from the restoration alternatives being considered in Port Angeles Harbor are largely the same as the impacts found in other regional and national restoration projects. Therefore, the analyses of the PEIS may, and should, be incorporated by reference as part of the analysis of the impacts of the alternatives the Trustees have considered. The Trustees have concluded that the procedures described for Inclusion Analysis within the PEIS are sufficient to guide NEPA review of future Trustee funding actions under the restoration program. The Trustees will make those subsequent reviews available to the public, as part of public trustee deliberations and through trustee resolutions.

Ecology’s SEPA guidance states that previously issued SEPA or NEPA documents can be adopted

to satisfy SEPA requirements if the impacts associated with a new proposal have been adequately evaluated. Ecology has concluded that the PEIS, and the approach for determining if an action is consistent with the analyses therein, is sufficient to meet the requirements of SEPA for Ecology's funding actions as a part of Trustee Council funding decisions under the restoration program.

There are specific situations found in Port Angeles Harbor where the restoration actions may have impacts that are different from those considered by the PEIS. These include the presence of environmental contaminants, the presence of endangered and protected species, and the presence of water-dependent uses that benefit local economies. These potential impacts will be considered during the Inclusion Analysis for each action funded by the Trustees. If a project has potentially significant effects that exceed those described in the PEIS or that are not considered in the PEIS, then that project would require an individual SEPA analysis, with its associated public process, focused on the specific potential impacts of that non-conforming project.

The adopted document is available at: [Restoration Center Programmatic Environmental Impact Statement | NOAA Fisheries.](#)³

Ecology has determined that this proposal is likely to have a significant adverse impact on the environment. We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision makers in lieu of preparation of a separate Environmental Impact Statement (EIS).

This Determination of Significance and Adoption Notice is issued under WAC 197-11- 630(3)(a) and consequently the general EIS preparation process does not apply. There is no comment period but there will be no agency action for seven days of date of this notice.

Responsible Official: Rebecca Lawson, rebecca.lawson@ecy.wa.gov, 360-407-6241:

Signature  Date 6-28-2023

³ <https://www.fisheries.noaa.gov/resource/document/restoration-center-programmatic-environmental-impact-statement>