



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

January 19, 2012

Reply To
Attn Of: ETPA-087

Martha Neuman
Planning Manager
Puget Sound Partnership
326 East D Street
Tacoma, WA 98421-1801

Re: Draft Update to the Puget Sound Action Agenda

Dear Ms. Neuman:

Thank you for the opportunity to review the draft update to the Puget Sound Action Agenda. We believe this draft significantly enhances the strategy to restore and protect Puget Sound, and we would like to acknowledge all of the hard work on the part of the Puget Sound Partnership (PSP) staff in preparing this document. This new Action Agenda provides a much improved framework for the joint efforts of the Management Conference.

The Region 10 Environmental Protection Agency (EPA) Puget Sound Team will be providing two sets of comments to PSP on the draft update. In this letter, we are providing early comments on the proposed prioritization process for Near Term Actions (NTAs) and general comments on the Action Agenda. This letter will be followed by additional, NTA specific comments prior to the February 3, 2012 deadline.

NTA Prioritization

The NTA prioritization process is still under development and the draft Action Agenda only addresses the first two steps culminating in information gathering. The current public review of the draft Action Agenda update will result in comments directed at both the proposed NTAs and the prioritization process. As such, it would be inappropriate to significantly advance the prioritization process for NTAs prior to reviewing and incorporating the input from the public comment period. We understand that there is considerable upfront design and preparation work, but implementing the prioritization process itself needs the benefit of the input that has been requested through the review process. We support the use of the Ecosystem Coordination Board (ECB) workgroup in completing the NTA prioritization process and strongly recommend that the full process for identifying priorities be mapped out and explained prior to undertaking the initial steps. This is important because how the initial steps are implemented, including gathering and documenting associated information, is likely to be influenced by later steps that vet, provide transparent explanation or concur with earlier information inputs. Similarly, the process(es) that will be used for setting ongoing program priorities or honing local priority lists need(s) to be explained.

The proposed process does not reference any published prioritization approaches that are being used in other ecosystem protection and restoration initiatives. PSP should look closely at the published literature for examples of prioritization methods/processes in other ecosystem restoration/protection efforts that might be expanded or adapted to Puget Sound. Based on a cursory review of other published prioritization methodologies, it appears that the Partnership's proposed approach has some criteria for which the data are poorly characterized. For example, we believe that the public support (#11) and equity (#12) criteria should be eliminated because the type of data available may be too poorly characterized to be used in a prioritization. Criteria with robust information should be used in order to produce replicable and consistent results. It also appears that other prioritization methods limited the number of criteria to those that were most important to the outcomes being sought and that could be easily supported with consistent and available data. In this way, the complexity of the process is reduced, while acknowledging the uncertainties inherent in the prioritization. PSP may wish to ask the Science Panel to form a working group to quickly further develop the criteria. EPA is proposing that the following criteria be eliminated or combined:

Criterion 1: This information is redundant with the considerations involved in criterion 2. Further, the five pressures listed are not comprehensive. We recommend this criterion be deleted.

Criterion 2: We recommend keeping this criterion; however, the ranking should provide additional value for those NTAs addressing more than one target (we assume the NTA score involves averaging the ranking across the (up to five) targets it addresses).

Criterion 3: We recommend this criterion be integrated with Criterion 5 because effectiveness should be judged relative to the ecological endpoint.

Criteria 4: We recommend this criterion be kept but that the ranking factors provide a greater rating for high, local impact NTAs, as well as geographically extensive projects.

Criterion 5: see Criterion 3

Criterion 6: We recommend keeping this criterion but including Criterion 7 as a subfactor within it, since economic health includes human well-being.

Criterion 8: This is important information to gather for decision-making, but it should not be used in prioritizing an NTA, but rather for informing implementation.

Criterion 9: We recommend keeping this criterion but combining it with Criterion 10 and adding a subfactor that provides weight for innovative, promising-but-unproven NTAs.

Criterion 11 and 12: We recommend that these criteria be deleted because there is not enough data to rate NTAs for these factors.

The metrics used to evaluate the criteria should also contain a time component (e.g. restored to 75% over what time period – before the next Action Agenda update, 2020, etc.). The 'lag time' needs to be clearly understood by those providing the information on the NTA.

If the prioritization is to be replicable and transparent, the questions posed and assumptions must be clearly understood so that there is a level playing field among the decision-makers. Our understanding of the proposed process is that experts on particular NTAs (or categories of NTAs) will be asked to rate them using the criteria. The average rating score for each NTA (provided by the experts with the most information on them) should then be provided to the ECB (or their designees) for an overall ranking across the NTAs using the criteria. Where a particular criterion does not apply to an NTA, the NTA should receive a neutral score (e.g. medium) or the rank could be based on the number of criteria that apply to the NTA so it is not penalized in its overall score.

We do not believe that this final list of NTAs should be the sole basis for funding decisions. Although the draft Action Agenda describes the development of a single list of priorities, it appears there will actually be 13 distinct prioritized lists of actions and funding needs (one for NTAs; one for ongoing programs;

one for science actions in the Biennial Science Workplan; and one for each of the ten local integrating organizations (LIOs)). These various lists will need to be integrated to inform the funding strategy used by each of the partners in the Management Conference. The prioritization of NTAs without consideration of ongoing priority program needs or local implementation priorities will produce an isolated list that is not integrated into effective implementation strategies. Prioritization of ongoing and new activities to restore and protect Puget Sound needs to consider both necessary sequences, geographic differences, and unique requirements for achieving specific recovery targets (e.g. shellfish bed recovery). We believe that the various priority lists need to be integrated into complementary implementation strategies that are more closely directed at specific environmental outcomes. For targets and priority actions that fall within the scope of the Lead Organizations (i.e. marine/nearshore, watersheds, pathogens, toxics and nutrients) we believe that these organizations could work with the various lists and LIO priorities to produce integrated implementation strategies, which could then be vetted through PSP's strategic advisory groups and/or the Ecosystem Coordination Board before approval by the Leadership Council.

General Comments:

- Structure and terminology of Action Agenda elements: Where possible, reduce the number of terms in the Executive Summary or at least be more consistent in their use. The Executive Summary contains an extensive assortment of terms for the various parts of the Action Agenda. For example, reference is made to "strategic initiatives" (p. 4); "strategies" (many places, including p. 10); "recovery strategies" (p. 10); "key strategies" (Table 4); however, it is unclear how all of these are related. Reference is also made to "recovery goals" (p. 8 and elsewhere) as well as "ecosystem goals" (p. 10), and it is unclear if recovery and ecosystem goals the same thing. Likewise, it is not clear if "vital signs," "dashboard indicators," ecosystem and/or recovery goals and/or targets are all the same thing.
- Page p. 301, Description of LIOs: The document states that LIOs "are a coordinating body that includes local jurisdictions, tribes, and implementing groups. The purpose is to identify locally relevant strategies and actions to implement the Action Agenda and accomplish the Sound-wide objectives." Given the extremely important role of LIOs, it is critical that the origins, charge, funding, and other aspects of the LIOs be clearly explained. For example, the document should explain how LIOs are authorized and funded, and what their relationship to the Puget Sound Partnership is (including from a policy, fiscal, budgetary, and organizational perspective). The Action Agenda should explain how LIOs will bring forward local strategies and actions for inclusion in implementation strategies and funding. The Action Agenda should also describe how LIOs are held accountable to their charge.
- The Management Conference is required under section 320 of the Clean Water Act to have formal international coordination mechanisms. Please include additional discussion on PSP's plans for greater collaboration with Canada at the national and provincial level through a formalized mechanism. The Management Conference should not rely solely upon EPA's agreement with Environment Canada to fulfill these coordination responsibilities.
- We recommend that the science needs identified in the Biennial Science Work Plan be included in the Action Agenda. If they are not included in the Action Agenda we are concerned they will not get the attention they deserve. The science actions identified in the Science Work Plan could be included in the appropriate section of the Action Agenda noting which of the NTAs will benefit from the 48 action items identified by the Science Panel.
- Please consider a separate section or strategic initiative to address emerging contaminants (e.g., pharmaceuticals and personal care products). Several sections in the Action Agenda identify the

lack of information on these emerging contaminants as critical, but there is no specific initiative to address this data gap.

- The Action Agenda should address the development of coordinated implementation strategies. In order to successfully implement the Action Agenda, strategies should be developed at the basin and watershed scales.
- Additional explanation and detail is needed for the following actions: A1.4 NTA1, A5.5 NTA2, B2.6 NTA1, C2.3 NTA 2, A1.1 NTA1, D3 NTA1-3, and the NTAs associated with D4.1.1, D4.1.2, D4.2.2.
- Please describe the process for including and prioritizing local scale NTAs in the NTA list.

Thank you for consideration of our comments. Should you have any questions, please feel free to contact me at (206) 553-2601.

Sincerely,

Linda Anderson-Carnahan
Acting Associate Director
Office of Ecosystems, Tribal and Public Affairs

cc: Tom Eaton, WOO
Chris Castner, OWW
Angela Bonifaci, OWW

Examples of Prioritization Approaches Used in Ecosystem Protection and Restoration Initiatives

<http://sampaa.org/publications/conference-proceedings-1991-2000/2003-proceedings/ecological-monitoring-1/Ure%20and%20Beazley%202004.pdf>

<http://rrrc.com.au/publications/downloads/113-JCU-Grech-A-et-al-2008-Spatial-Risk-Assessment-GBRWHA-Seagrasses.pdf>

http://www.nap.edu/catalog.php?record_id=13148 (Chapter 4 provides an evaluation of a similar process to that proposed by PSP, and it discusses some of the pros and cons of such an approach.)

http://baydeltaconservationplan.com/Libraries/Dynamic_Document_Library/BDCP_Chapter_1_-_Introduction.sflb.ashx (Bay-Delta conservation plan prioritization process)

<http://www.sfestuary.org/pages/index.php?ID=7> (San Francisco Estuary Partnership planning document section on their prioritization)

<http://www.epa.gov/rev/> (EPA Office of Research and Development tool for regional decision making)

Thom et al. (2011). Lower Columbia River and Estuary Habitat Restoration Prioritization Framework", Ecol. Rest.

Jorgensen et al. (2003). Ecosystem Restoration: Prioritization to Achieve Emergent Benefits.

Multiscale Analysis of Restoration Priorities for Marine Shoreline Planning; Heida L. Diefenderfer, Kathryn L. Sobocinski, Ronald M. Thom, Christopher W. May, Amy B. Borde, Susan L. Southard, John Vavrinec, Nichole K. Sather; Environmental Management (2009) 44:712–731