

EXHIBIT 52

Local News

# Lawsuit seeks more review of projects that 'armor' Puget Sound shoreline



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**1 of 6** At the mouth of the Elwha River, sediment spills into the Strait of Juan de Fuca. The material is rebuilding a natural shoreline as well as an ecosystem for insects, birds and fish. Seawalls, bulkheads and other... (Steve Ringman/The Seattle Times) **More** ▾

## Restoring the natural shoreline at the Elwha River where it meets the sea is part of an ongoing battle to heal Puget Sound — along with a lawsuit to achieve better environmental review of new shoreline projects.

By [Lynda V. Mapes](#) 

*Seattle Times environment reporter*

AT THE MOUTH OF THE ELWHA RIVER, Clallam County —

Soft, distinct, the cloud of sediment moves toward the shore, pouring out of the upper reaches of the Elwha River, traveling all the way from the mountains to the sea.



For the first time in a century, this material brought on the water is reaching the beach, where it is rebuilding a natural shoreline, a critical environmental zone where insects hop, forage fish spawn and salmon feed — fattening up for the orcas that in turn feed on them. It's all connected. Except where it isn't, all over Puget Sound, because of a seawall, bulkhead or other structure that deflects the tide's nourishing gift of sand and sediment from the beach.

Several environmental groups filed suit Monday in federal court seeking to expand permit review by the U.S. Army Corps of Engineers to thousands of miles of shoreline when a new bulkhead or seawall is considered. The suit is intended to prevent more damage to the shoreline, even as work is underway to repair past destruction.

### Featured Video

More protection is needed for the crucial zone where the land meets the sea, said Amy Carey, executive director of [Sound Action](#), a nonprofit based in Seattle that serves as a watchdog on environmental permits for bulkheads, sea walls and other construction in the nearshore.

More than 67 percent of Central Puget Sound has been hardened along the shoreline with rock and sea walls and bulkheads. Puget Sound-wide, more than a quarter of the natural shoreline similarly has been lost.

“This is the Goldilocks zone for forage fish, for surf smelt, sand lance, and armoring just outright destroys that habitat,” said Carey. “You are talking about the basics of the food chain, for forage fish, for salmon, and orcas need all of it. It is not really a surprise we are not seeing improvements in orca populations, or salmon populations, or forage fish populations, because we have all these regulatory gaps.”

ADVERTISING

Sound Action joined with other environmental groups in a [lawsuit](#) filed in U.S. District Court Monday for the Western District of Seattle by Earthjustice, seeking expanded environmental review of projects that wall off or harden the shore.

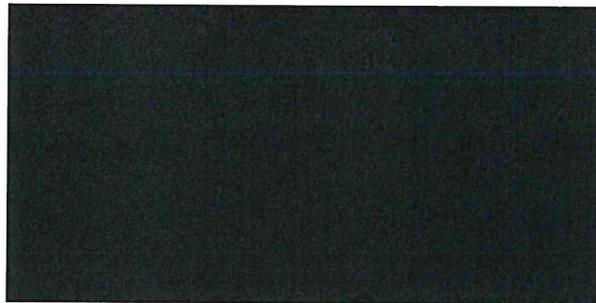
Today the majority of shoreline-armoring projects in Puget Sound get no federal review. Not by the U.S. Army Corps of Engineers, or by fish and wildlife agencies to protect threatened and endangered species.

“It isn't like you just alter your sidewalk in front of your house; you change the whole street,” Simenstad said.

Indeed, the Elwha shows an effective drift cell back in action. A soft, flat, sandy beach has grown not just where CWI is pulling out the old wall, but continuously, 2.7 miles down the shoreline to the east, said Jamie Michel, project lead for CWI.

All the natural processes are coming back as the shoreline rebuilds: Today seabirds pick at the bugs all over the beach wrack. Big wood brought down by the river is stacking onshore. Forage fish spawning is expected next, Shaffer said.

Ad



“It is just so spectacular.”

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