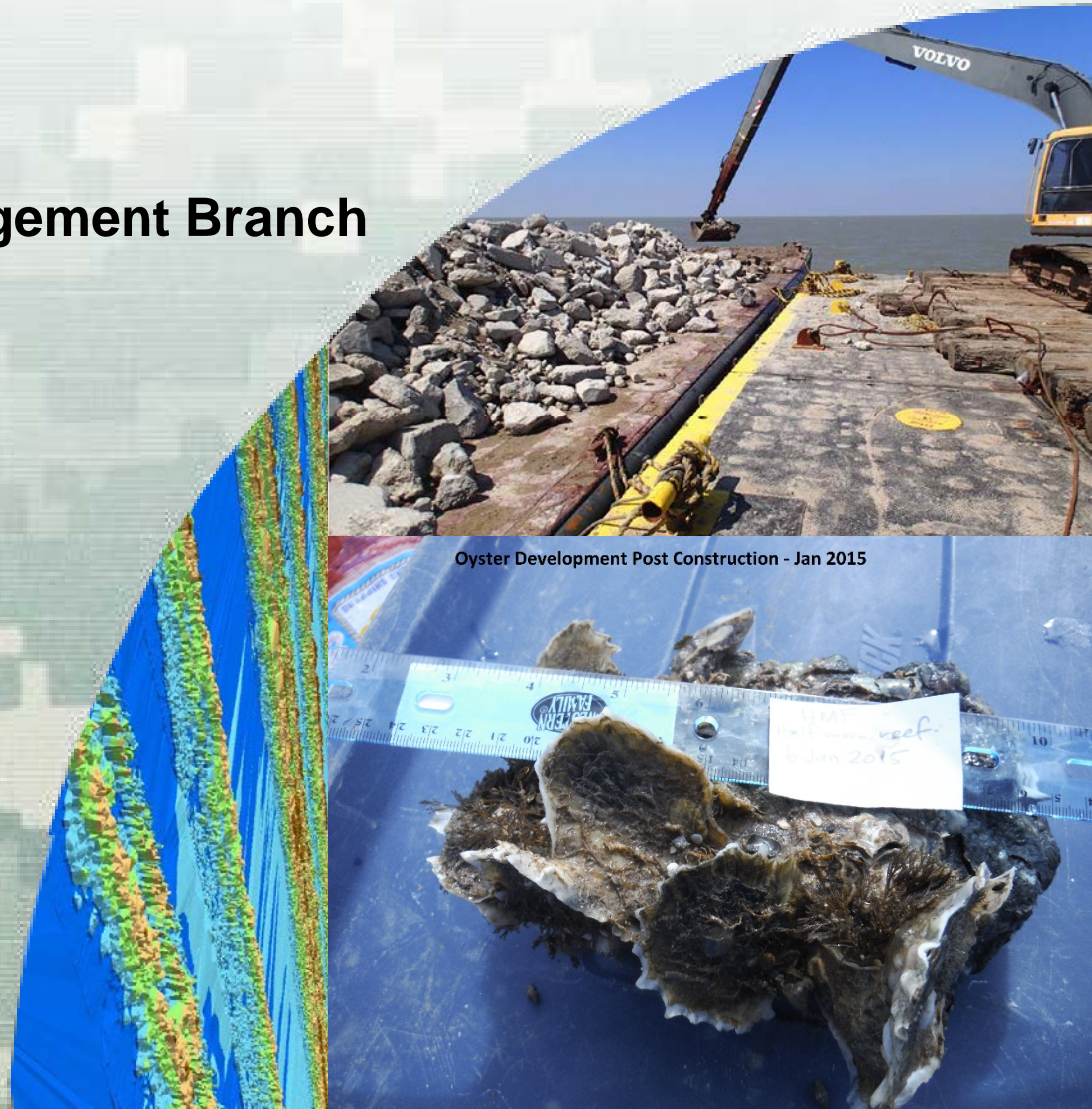


Half Moon Reef Restoration Project Matagorda County, TX Project Process Issues

Byron D. Williams, PMP
Galveston District
Deputy Chief, Project Management Branch

8 December 2015



Oyster Development Post Construction - Jan 2015

Opportunities

- Sponsor Submitted Request to the Estuary Habitat Restoration Council for consideration in the Estuary Habitat Restoration Program, 2007.
- [Estuary Restoration Act of 2000 \(PL 106-457, Title I\) as amended](#)
 - The purpose of the Estuary Restoration Act, as amended, (ERA) is to promote the restoration of estuary habitat; to develop a national Estuary Habitat Restoration Strategy for creating and maintaining effective partnerships within the Federal government and with the private sector;
 - The ERA authorizes a program under which the Secretary of the Army may carry out projects and provide technical assistance to meet the restoration goal. Costs of projects funded under the ERA must be shared with non-Federal parties.
 - The “Estuary Habitat Restoration Council” consist of representatives of the [National Oceanic and Atmospheric Administration](#) (NOAA), [Environmental Protection Agency](#) (EPA), Department of the Interior ([U.S. Fish and Wildlife Service](#)), [Department of Agriculture](#), and the Department of Army (Corps of Engineers).



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USACE Project Initiation

- **SWG received 30K to write a Letter Report supporting a recommended project.**
- **The Environmental Assessment was being done by Regulatory via the Permit Application from The Nature Conservancy (TNC) for Phase I.**
- **The Initial Letter Report was approved July 2010.**



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Issue 1

➤ Real Estate

Problem

- After the receipt of construction funds (815K), Corps Real Estate determined the 20 Year Lease TNC had with The General Land Office (GLO) was not sufficient.
- We needed the land in Perpetuity.
- GLO cannot forfeit the Bay Bottom ownership.



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Issue 1

➤ Real Estate

Argument

- The ERA only requires 5 years of Monitoring to determine sustainability
 - Land in Perpetuity is not applicable to the Project requirements.
- The mandate would kill the project.



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Issue 1

➤ Real Estate

Solution

- Non-Standard Lease request to HQ
- Create an Institutional Controls White Paper.
 - Explains how Resource Agencies support and will assist in the Reef Sustainability
- Re-Structure Lease to 60 years with two 20 year options.
- HQ agrees to accept the new Lease as Perpetuity.



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Issue 2

➤ Funding

Problem

- The Real Estate resolution lasted nearly two years
 - Left the project with 765K for P&S and Construction.
 - Exhausted built in contingency.
- We had ZERO extra funds which provided no room for deviation from the Government Estimate during the bid.



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Issue 2

➤ Funding

Resolution

- Contract Options to assure no cost overruns.
 - 4 rows, 2 Row options. (500K + 100K options)
- Winning contractor had 3,000 Tons of Stockpiled Concrete within the Reef Physical Parameters in nearby Port Lavaca.
 - Saved time and money as Limestone would have been more expensive to ship in.



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Completion

- P&S done in-house for expediency
- 26 Day Weather Delay
- Physical Completion on 12 April, 2014



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Questions?



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