The Federal Highway Administration	*National Marine Fisheries Service*	*US Fish and Wildlife Service*	*WA State Department of Transportation*

MEMORANDUM

February 16, 2009

To: Applicable Agency Staff

Re: **Analytic Approach to be used in Assessing Stormwater Effects in Biological Assessments**

The Federal Highway Administration (FHWA), National Marine Fisheries Service (NMFS), US Fish and Wildlife Service (USFWS), and Washington State Department of Transportation (WSDOT) have agreed to use the Hi-Run Model, its user guide and the accompanying stormwater assessment guidance that is included in WSDOT's Biological Assessment Preparation for Transportation Projects document in consultations on western Washington projects with the potential to have stormwater effects on listed species.

This model was developed through an 18-month process that included monthly meetings with key policy and technical staff from the signatory agencies and technical staff from Herrera Environmental Consultants.

All WSDOT projects with Biological Assessments (BAs) submitted 60 days from the date of this agreement are required to use the approach outlined above for analysis of stormwater affects unless the stormwater analysis was started prior to this date. In those cases, the BA can be submitted using the existing stormwater analytic approach.

Local agency projects that have already started preparing project BAs have a six-month "grandfather period" during which the use of this new stormwater analysis method and model is recommended, but will not be required. However, all local agency BAs submitted to NMFS and USFWS for initiating consultation after August 16, 2009, will be required to use the new methodology in analyzing the potential effects of stormwater on ESA-listed species.

WSDOT provided training to WSDOT and local agency staff and consultants on this approach in September, October, and November 2008. Additional training will be provided by WSDOT on a yearly basis. In addition, a DVD from the September training session is available for self study.

The agencies agree to revisit the guidance regularly to determine how well it is working and what, if any, modifications are required, in addition to updating the monitoring data used to determine pollutant levels. The first evaluation will occur one year after implementation.

If you have questions on the approach, please contact WSDOT's Fish and Wildlife Program Manager at (360) 705-7404.

John Grettenberger
CTA Division Manager

Kevin Ward, P.E.
Assistant Division Administrator

U. S. Department of Transportation
Federal Highway Administration

Michael Grady, Branch Chief
WA State Habitat Office

NOAA FISHERIES SERVICE

Megan White, P.E., Director
Environmental Services Office

Washington State Department of Transportation