

PART 3

**Additional Resources for Biological Assessment
Authors**

18.0 Gathering Information for a Biological Assessment

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18.0 Gathering Information for a Biological Assessment

This chapter provides contact information for the necessary information requests made as one of the first steps in preparing a biological assessment. Examples of information request letters are also included.

The local agency environmental classification summary (ECS) form is also included here, followed by the Endangered Species Act stormwater design checklist. These forms are filled in with project information that the BA preparer needs in order to develop the BA.

18.1 Information Request Contacts and Letter Samples

Information on threatened, endangered, proposed, and candidate species, including species of concern should be acquired from each of the agencies below on a regular basis. To save time, it is highly recommended that listings be requested or, if applicable, acquired online every 90 days for the entire jurisdiction. Information requests to resource agencies generally need to contain a short description of the project(s), the location of the project(s) or jurisdictional limits (county, TRS), the specific request, and a map showing the project or jurisdiction location(s). Information should be requested for a minimum 1.0-mile radius around your project site.

18.1.1 Contacts

18.1.1.1 U.S. Fish and Wildlife Service (USFWS)

Provides legal listing for ESA species under USFWS jurisdiction, available at http://www.fws.gov/wafwo/species_new.html.

Brad Thompson
U.S. Fish and Wildlife Service
510 Desmond Drive SE, Suite 102
Lacey, WA 98503-1273
(360) 753-6039

Species lists can be requested online on a countywide or project area basis at <http://ecos.fws.gov/ipac/>.

18.1.1.2 National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS)

Provides legal listing for ESA species under their jurisdiction. (For local agencies, listings also available from WSDOT regional Local Programs offices.) Currently, salmon and other listings are available online at http://www.westcoast.fisheries.noaa.gov/protected_species/species_list/species_lists.html.

Director, Washington State Habitat Office
National Marine Fisheries Service
Olympia Field Office
510 Desmond Drive SE, Suite 103
Lacey, WA 98503-1273
(360) 753-9440

18.1.1.3 Washington Department of Fish and Wildlife (WDFW)

Provides site-specific information on locations of species monitored by the state that are documented in the Priority Habitats and Species (PHS) database. This is sensitive, confidential information that will need to be requested through an information request form (preferred method) (<http://wdfw.wa.gov/conservation/phs/list/>) or by letter, and you will need to sign an agreement to obtain it. It cannot be published in any public document, except according to the size and scale specifications contained within the agreement. (This is the best information source on the presence of species near your project.) Within the range of the northern spotted owl and marbled murrelet, data for these species must be specifically requested. There is a fee associated with this information request. Also, a memorandum of understanding may be established between WDFW and the requesting organization in lieu of a signed agreement for each request. For WSDOT projects, this information can be requested through the project office and regional project biologist.

Priority Habitats and Species
Washington Department of Fish and Wildlife
600 Capitol Way North
Olympia, WA 98501-1091
(360) 902-2543

18.1.1.4 Washington Department of Natural Resources (WDNR)

Provides information on locations of sensitive plants and rare plant communities that are documented in the Natural Heritage Program (NHP) database. This information will need to be requested through an information request form (<https://www.dnr.wa.gov/NHPdata>). For WSDOT projects, this information can be requested through the project office and regional project biologist.

Washington Natural Heritage Program
Department of Natural Resources
P.O. Box 47014
Olympia, WA 98504-7014
(360) 902-1667

18.1.1.5 Washington Department of Fish and Wildlife Regional Habitat Program Managers

For assistance with priority habitats and species information, contact a regional habitat biologist available at:

<[https://wdfw.maps.arcgis.com/apps/MapJournal/index.html?appid=48699252565749d1b7e16b3e34422271WDFW Assistance](https://wdfw.maps.arcgis.com/apps/MapJournal/index.html?appid=48699252565749d1b7e16b3e34422271WDFW%20Assistance)>.

18.2 Local Agency Environmental Classification Summary Form

The local agency environmental classification summary (ECS) form is now available online (in PDF format) from the WSDOT Local Programs website:

<<http://www.wsdot.wa.gov/localprograms/environment/>>.

18.3 Endangered Species Act Stormwater Design Checklist Overview

The Stormwater Design Checklist assists project designers in providing pertinent information about a project's stormwater treatment facilities to biologists responsible for preparing biological assessments required for consultation under Section 7 of the Endangered Species Act. The use of this checklist is necessary to aid in developing biological assessments and to promote consistency in the content provided in the agency's biological assessments.

It is possible that the specific conditions of some projects may warrant modifying or adding certain checklist items. However, to maintain consistency in the type and amount of information collected and submitted for the environmental permitting process, the checklist should be modified only if necessary.

There are two checklists available; one for western Washington and one for eastern Washington. Both checklists and the specific protocols for analyzing stormwater in these respective areas of the state are available on the following WSDOT websites:

<<https://wsdot.wa.gov/sites/default/files/2017/12/27/Env-FW-ESA-WWASstormwtrDesignCkList.doc>> (western Washington) and <<https://wsdot.wa.gov/sites/default/files/2017/12/27/Env-FW-ESA-EWASstormwtrDesignCkList.doc>> (eastern Washington).

18.3.1 Runoff Treatment

In another noteworthy revision, these checklists no longer refer to treating 140 percent of new impervious surface area for basic water quality treatment. The 140 percent approach was associated with conventional runoff treatment BMPs employing filtration or settlement of pollutants as the removal mechanism (e.g., biofiltration swales, filter strips, and basic wet ponds). Since the development of the 140 percent threshold in 1999, stormwater management in Washington State has changed considerably. The Ecology stormwater management manuals for western and eastern Washington now require that arterial and highway runoff be given

“enhanced” treatment. *Enhanced treatment*, as defined in the Ecology manuals, is a treatment system optimized to improve the capture of dissolved metals through processes involving sorption, ion exchange, biofiltration, or precipitation.

The 2016 WSDOT *Highway Runoff Manual* contains several designs that achieve both basic and enhanced treatment within a single stormwater facility. Examples include designs for the ecology embankment, dispersion, compost-amended filter strip, and enhanced biofiltration swale, among others.

The former 140 percent threshold was developed as the level of runoff treatment necessary to result in a biological assessment determination of *no effect* on protected species, given basic treatment’s pollutant-removal effectiveness of less than 100 percent. With the availability of enhanced treatment and more specific guidance in the *Highway Runoff Manual* for retrofitting existing impervious surfaces, treating 140 percent of the new impervious surface is no longer necessary to achieve a determination of *no effect*.

18.3.2 Flow Control

For flow control, the method used in Instructional Letter 4020.02 required the use of a volume correction factor to increase the volume of detention ponds designed using an event-based model, the Santa Barbara Urban Hydrograph (SBUH) method. For stormwater detention designs in western Washington, the SBUH method has since been replaced with U.S. Environmental Protection Agency’s Hydrologic Simulation Program – Fortran-based (HSPF-based) continuous runoff models, such as MGSFlood, the King County Runoff Time Series, or the Western Washington Hydrologic Model. These continuous runoff models enable detention ponds and discharge orifices to be sized with post-project flow/duration curves matching some desired predevelopment condition. The result is significantly larger detention ponds than those previously constructed under Instructional Letter 4020.02.

In eastern Washington, the rational method or single event hydrograph methods (Soil Conservation Service [SCS] or Santa Barbara Unit Hydrograph [SBUH]) can be used. To provide a detailed quantitative analysis of potential project effects on flow durations, a continuous hydrologic simulation model would be needed but no such model is available for use in eastern Washington and therefore a surrogate analysis method using a single event hydrograph method should be employed. The *Highway Runoff Manual* provides flow control design guidance for eastern Washington for use with a unit hydrograph model that approximates the peak flow reduction needed to prevent an increase in the durations of channel-forming peak flows.

