

PART 3

**Additional Resources for Biological Assessment
Authors**

18.0 Gathering Information for a Biological Assessment

Contents

18.0	Gathering Information for a Biological Assessment	18.1
18.1	Information Request Contacts and Letter Samples.....	18.1
18.1.1	Contacts.....	18.1
18.2	Local Agency Environmental Classification Summary Form.....	18.6
18.3	Endangered Species Act Stormwater Design Checklist Overview	18.6
18.3.1	Runoff Treatment.....	18.6
18.3.2	Flow Control.....	18.7

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 6 months for the entire jurisdiction. Information request letters to resource agencies 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.html>.

Western Washington:

Ken Berg
U.S. Fish and Wildlife Service
510 Desmond Drive SE, Suite 102
Lacey, WA 98503-1273
(360) 753-9440

Species listings for western Washington are available on a countywide basis online at <http://www.fws.gov/westwafwo/speciesmap.html>.

Eastern Washington:

Mark Miller
U.S. Fish and Wildlife Service
Spokane Field Office
11103 E. Montgomery Drive
Spokane Valley, WA 99206
(509) 891-6839

Currently, listings for eastern Washington are available on a countywide basis online at http://www.fws.gov/wafwo/species_EW.html.

18.1.1.2 National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries)

Provides legal listing for ESA species under their jurisdiction. (For local agencies, listings also available from WSDOT regional Highways and Local Programs offices.) Currently, salmon listings are available online at <http://www.nwr.noaa.gov/ESA-Salmon-Listings/Index.cfm>. All other listed species under NOAA's jurisdiction are available online at <http://www.nwr.noaa.gov/Species-Lists.cfm>.

Steve Landino
NOAA Fisheries Service
Habitat Program/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.

Lori Guggenmos
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 by letter. For WSDOT projects, this information can be requested through the project office and regional project biologist.

John Gamon
 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 program manager, listed below, who will direct your questions to an area habitat biologist, also available at: <<http://wdfw.wa.gov/conservation/habitat/ahb/>>.

Region	Locations of Project (by county)	Contact Person/Email	Address/Phone
Eastern WA Region 1	Asotin, Columbia, Ferry, Garfield, Lincoln, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman	Mark Wachtel Mark.Wachtel@dfw.wa.gov	WDFW, Region 1 2315 N Discovery Place Spokane, WA 99216-1566 (509) 892-7860 Ext. 320
North Central WA Region 2	Adams, Chelan, Douglas, Grant, Okanogan	Bob Steele Robert.Steele@dfw.wa.gov	WDFW, Region 2 1550 Alder Street NW Ephrata, WA 98823-9651 (509) 754-4624
South Central WA Region 3	Benton, Franklin, Kittitas, Yakima	Perry Harvester Perry.Harvester@dfw.wa.gov	WDFW, Region 3 1701 South 24th Avenue Yakima, WA 98902-5720 (509) 457-9314
North Puget Sound Region 4	King, Island, San Juan, Skagit, Snohomish, Whatcom	David Brock David.Brock@dfw.wa.gov	WDFW, Region 4 16018 Mill Creek Blvd. Mill Creek, WA 98012-1296 (425) 775-1311 Ext. 114
Southwest WA Region 5	Clark, Cowlitz, Klickitat, Lewis, Skamnia, Wahkiakum	Dave Howe David.Howe@dfw.wa.gov	WDFW, Region 5 2108 SE Grand Blvd. Vancouver, WA 98661 (360) 906-6729
Coastal Area Region 6	Clallam, Grays Harbor, Jefferson, Kitsap, Mason, Pacific, Pierce, Thurston	Steve Kalinowski Stevan.Kalinowski@dfw.wa.gov	WDFW, Region 6 48 Devonshire Road Montesano, WA 98563-9618 (360) 249-1227

Letter to the Department of Natural Resources Requesting Information on Sensitive and Rare Plants

September 23, 2009

Mr. John Gamon
Washington Natural Heritage Program
Division of Forest Resources
Department of Natural Resources
P.O. Box 47016
Olympia, WA 98504-7016

RE: Haystack Ridge Radio Site

Dear Mr. Gamon:

The Washington State Department of Transportation (WSDOT) is planning on building a new radio tower at Haystack Ridge, on a 50 by 400 foot site. The site, which is in Klickitat County, is located in the southwest quarter of the southeast quarter of Section 3, Township 2 North, Range 15 East of the Willamette Meridian.

We are requesting information on the presence of any sensitive plants or rare plant communities in the vicinity of our project. A map showing the approximate location of the project has been included for your use. If you have any questions, please either e-mail me at mcarey@wsdot.wa.gov or call me at 360-705-7404.

Sincerely,

Marion Carey
Wildlife Biologist

Letter to WDFW Requesting Priority Habitats and Species Information

(Response will contain federal listing information as well, but this letter cannot substitute a federal request for listing letter)

September 23, 2009

Lori Guggenmos
Priority Habitats and Species
WA Dept. Of Fish and Wildlife
P.O. Box 43135
Olympia, WA 98504-3135

RE: City of Jupiter Transportation Projects

Dear Ms. Guggenmos:

The Department of Public Works for the City of Jupiter is planning multiple transportation projects in Milky Way, Washington, over the next year. Our city is located near SR 770 near MP 36.08 to MP 45.30. The legal locations of our jurisdiction are as follows:

T15N, R18W, Sections 11, 10, 3, 4
T16N, R18W, Sections 33, 32, 29, 28, 21, 16, 17, 18, 7, 6
T16N, R17W, Sections 1, 12
T17N, R17W, Sections 36, 25
T17N, R18W, Sections 31, 30

We are requesting updated information on the species that are documented in the PHS database, including spotted owls and marbled murrelets that may be present within the area of the City of Jupiter. We have enclosed an information request form further detailing our project and information needs. A map showing the approximate location has been included. If you have any questions, please feel free to call me at (360) 705-7405 or email me at jorgenk@jupiter.wa.gov.

Sincerely,

Marion Carey
Wildlife Biologist

18.2 Local Agency Environmental Classification Summary Form

The local agency environmental classification summary (ECS) form is now available online (in PDF or FileMaker Pro format) from the WSDOT Highways and 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 website: <http://www.wsdot.wa.gov/Environment/Biology/BA/BAGuidance.htm#Stormwater>.

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 2008 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.

