



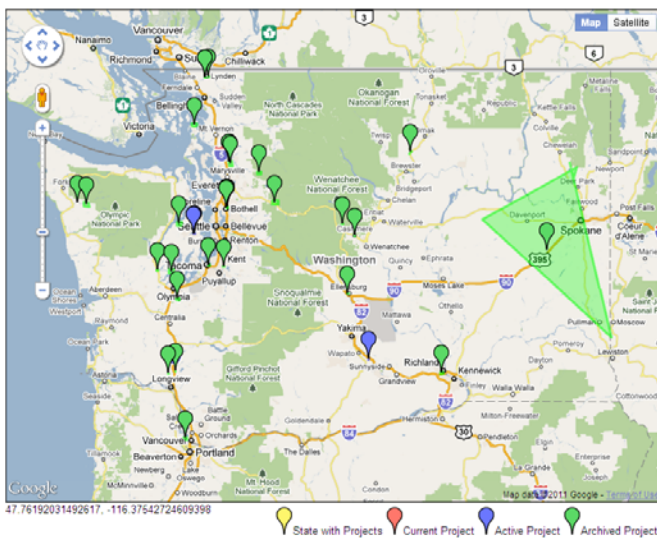
FHWA Endangered Species Act Webtool Improves the ESA Section 7 Consultation Process

The Federal Highway Administration (FHWA) launched the Endangered Species Act (ESA) Webtool in 2009 to streamline and improve the preparation of Biological Assessments (BAs) and the consultation process with Federal resource agencies under Section 7 of the ESA. FHWA recently updated its [ESA Webtool site](#), which features improved capabilities to assist environmental and transportation professionals in both the preparation of BAs and the consultation process. The Webtool provides the following:

- BA templates;
- A secure “file cabinet” for sharing documents and draft BAs;
- Reference materials; and
- Best management practices.

ESA Section 7 Consultation Process

Section 7 of the ESA mandates that federally funded transportation projects comply with two requirements. The first requirement is that projects must not jeopardize the continued existence of a listed threatened and endangered species or result in adverse modifications to critical habitat. The second requirement is that FHWA and the State Department of Transportation (DOT) involved in the project must consult with and submit BAs



Washington State DOT, an early adopter of the ESA Webtool, already has dozens of BAs underway or completed in the system. (Courtesy of FHWA)

Successes In Stewardship Newsletter Celebrates 10 Years

The August 2011 issue of *Successes in Stewardship* marks the newsletter's 10th anniversary! Since 2001, *Successes in Stewardship* has highlighted environmental streamlining practices from across the country. Over the past 10 years, the newsletter has covered a variety of topics related to transportation and the environment, including streamlining the environmental review process, preserving historic transportation facilities, and protecting endangered species and their habitats. The *Successes in Stewardship* team thanks all past contributors for making the newsletter a success! Don't forget to tell us what you'd like to read about. Contact Jared Fijalkowski at jared.fijalkowski@dot.gov to share your ideas!

to the Fish and Wildlife Service (FWS) if freshwater fish and wildlife species may be affected or to the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) if marine and anadromous species may be affected. The BA's main purpose is to document FHWA's and the State DOT's conclusions and rationale regarding the effects of a proposed project on listed species and habitats and the avoidance and minimization measures that the DOT will implement.

FWS and NMFS review BAs to determine if projects might have adverse effects on a listed species or its habitat. If the Federal

resource agencies find that the project is not likely to adversely affect the listed species, the agencies issue a letter of concurrence. If the Federal resource agencies conclude that a project may adversely affect a listed species or its habitat, then they respond to the BA with a Biological Opinion (BO). The BO outlines legally binding avoidance and mitigation measures that the project managers must follow to avoid jeopardizing or adversely modifying the habitat of a listed species.

FHWA, State DOTs, and Federal resource agencies face several challenges when preparing BAs. For example, it can be difficult to coordinate with multiple stakeholders across large geographic areas in preparing and reviewing BAs. Coordination can also be challenging when field biologists, FHWA, State DOTs, and Federal resource agencies use outdated, paper-based systems to transfer and review draft BAs. These challenges contribute to delays and inconsistencies in BA preparation from project to project and from State to State. Many interagency BA teams prepare more drafts and revisions than would be necessary under a more streamlined system.

Also, FHWA, State DOTs, and their local partners often invest a significant amount of staff time to develop BAs. If any of the parties does not have adequate access to resource data, BAs may be incomplete or inaccurate, which could cause delays once they are submitted to Federal resource agencies. One way to address this is for FHWA and State DOT staff to reference completed BAs in order to save time and easily locate data sources. Sample BAs can serve as helpful examples for transportation staff, especially when the samples have a similar project type, affected species, or geography of the affected area.

FHWA determined that an online tool could reduce the challenges of the development, submittal, and review of BAs by providing a single source for FHWA, State DOTs, and Federal resource agencies to find information about BAs, coordinate the development process, and share files electronically. After pilot testing in New York, Washington, and Texas, FHWA launched the ESA Webtool in July 2009.

Webtool Features and Streamlining Benefits

Recently, FHWA released the latest version of the ESA Webtool, which includes updated and added features to help users access data, share best practices, and coordinate with partners to streamline the BA development process. These features include the following:

- A nationally standardized BA template with instructions that address various topics and issues;
- Secure online file cabinets to improve coordination, collaboration, and administrative documentation;
- BA/BO search functionality based on geographic location, project type, and listed species;
- Library, glossary, search, and FAQ resources; and
- Geographic contacts and resources.

The Webtool addresses the challenges and inefficiencies in the BA development process and offers benefits to transportation and resource agencies, as follows:

- Standardizes BA preparation by providing consistent guidance, references, and a template;
- Facilitates collaboration across jurisdictional lines by providing a publicly accessible archive of completed BAs and information about ongoing assessments;
- Adds administrative transparency and institutional memory for resource agency review; and
- Provides a secure online file cabinet that lets all project stakeholders collaborate on the BA development workflow stages and work on shared draft documents.



FHWA designed the ESA Webtool Shortcut for users to save to their desktops and easily access the Webtool. (Courtesy of FHWA)

In addition to these benefits, the Webtool aligns with the mission of FHWA's [Every Day Counts \(EDC\) Initiative](#) by streamlining the BA development process. The Webtool meets EDC goals by providing a user-friendly interface that expedites the preparation of BAs, improves BA quality, and shortens project delivery time.

WSDOT Pilots Webtool to Streamline the BA Development Process

Washington State DOT (WSDOT) was one of the earliest users to pilot the Webtool in 2009. Washington has dozens of listed species and nearly 200 projects requiring BAs each year. WSDOT staff had become accustomed to mediating the BA development process between local partners and the Federal resource agencies. However, with team members working out of different offices and different levels of experience among local partners writing BAs, WSDOT staff had difficulty coordinating and facilitating the BA drafts. Furthermore, WSDOT staff often found that local partners were unfamiliar with the issues unique to specific species and, in turn, they had to train the local partners on the Federal requirements for BAs.

Upon adopting the ESA Webtool, WSDOT staff immediately recognized its benefits. The resources and BA templates improved the quality of local submissions and saved a considerable amount of staff time for each project. The online file cabinet enhanced collaboration and communication during the drafting stages and provided opportunities for FWS and NMFS staff to give input on the document before formal submission. Since the Webtool allowed Federal resource agencies to participate earlier in the BA development process, the consultation period was significantly shorter. Finally, practitioners had easy access to archived projects for best management practices.

WSDOT staff found that use of the ESA Webtool generally reduces the 135-day consultation process by 20 days or more. In some instances where the project and species are similar to those in an archived BA, the Webtool allows WSDOT to shorten the consultation process by as much as 9 weeks.

Looking Ahead

In the future, FHWA hopes to link the Webtool with other Federal resource agency data tools including the FWS's [Information, Planning, and Conservation System](#) (IPaC). Such interagency partnerships will enhance the Webtool by allowing users to seamlessly access and integrate information. For example, linking with IPaC could integrate the official FWS species list and designated critical habitat information on the basis of a project's geography. A link to the IPaC system could also further facilitate the planning process for Webtool users and provide BA preparers with the appropriate FWS contacts.

FHWA continues to promote the ESA Webtool and improve and refine it based on user feedback. With the recent update, FHWA is concentrating on outreach efforts to raise awareness of the tool and its benefits among State DOTs and local resource agency offices as well as on training practitioners in how to use it. In FHWA's ESA Webtool user survey, 96 percent of respondents found the Webtool easy to use and would recommend it for use in other States. Moving forward, the streamlining benefits of the Webtool will improve as more States use it, provide feedback to FHWA, and contribute to a growing national repository of best management practices for endangered species protection.

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Look What's New!

- On May 24, FHWA held a webinar titled "Eco-Logical and Wildlife Connectivity: Concepts in Innovative Planning," which reviewed the agency's activities for enhancing wildlife protection under the *Eco-Logical* program. To view the presentation, [click here](#).
- The U.S. Environmental Protection Agency and 11 other Federal agencies recently launched the Urban Waters Federal Partnership to revitalize urban waterways in underserved communities across the country. The partnership will improve coordination among Federal agencies, support community-led waterway revitalization efforts, and promote the benefits of urban waterways. For more information, visit www.urbanwaters.gov.
- The American Association of State Highway and Transportation Officials' Center for Environmental Excellence recently published a handbook titled "[Applying the Section 404\(b\)\(1\) Guidelines in Transportation Project Decision-Making](#)." The handbook provides guidance on complying with Clean Water Act Section 404(b)(1) guidelines in the environmental review process for surface transportation projects.

Successes in Stewardship is a Federal Highway Administration newsletter highlighting current environmental streamlining and stewardship practices from around the country. To subscribe, visit http://environment.fhwa.dot.gov/sis_registration/Register.aspx or call 617-494-2092.