Title
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Authors
Quan, Jennifer
Teachout, Emily

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BALANCING THE NEEDS OF TRANSPORTATION AND THE ENVIRONMENT: SUCCESSES AND ON-GOING CHALLENGES FOR THE TRANSPORTATION LIAISON PROGRAM AT THE USFWS IN WASHINGTON STATE

Jennifer Quan (Phone: 360-753-9440, Email: jennifer_quan@fws.gov) and Emily Teachout (Phone: 360-753-9583, Email: emily_teachout@fws.gov), Western Washington Fish and Wildlife Office. U.S. Fish and Wildlife Service, 510 Desmond Drive, SE, Suite 102, Lacey, WA, 90503-1263, Fax: 360-753-9008

Abstract: In Washington State, the U.S. Fish and Wildlife Service (USFWS) is one of several state and federal agencies participating in the Washington State Department of Transportation (WSDOT) Liaison Program. Through this program, WSDOT provides funding to support staff that are dedicated to working on transportation projects. In Washington, the USFWS currently has three liaison positions. These positions are staffed by fish and wildlife biologists who represent the interests of the USFWS and work to meet the both environmental and transportation needs.

Introduction
In Washington State, the U.S. Fish and Wildlife Service (USFWS) is one of several state and federal agencies participating in the Washington State Department of Transportation (WSDOT) Liaison Program. Through this program, WSDOT provides funding to support staff that are dedicated to working on transportation projects. In Washington, the USFWS currently has three liaison positions. These positions are staffed by fish and wildlife biologists who represent the interests of the USFWS and work to meet both the environmental and transportation needs.

Successes
Successful outcomes of the liaison program include:

Endangered Species Act (ESA) Section 7 Consultation
In 1999, coinciding with the placement of liaisons in USFWS, the bull trout (Salvelinus confluentus) was listed as threatened and ESA consultation numbers substantially increased. In the past three years Section 7 consultations on federally funded transportation projects have made up over 20 percent of the consultations in the Western Washington Fish and Wildlife Office, second only to consultations with the U.S. Army Corps of Engineers. Transportation liaisons have conducted just under half (~45%) of the consultations, which contributed greatly to transportation project delivery.

National Environmental Policy Act (NEPA)/Clean Water Act (CWA) “Merger Agreement”
In Washington State the USFWS is signatory to a multi-agency agreement that merges regulatory review pursuant to NEPA and CWA for transportation projects requiring an environmental impact statement and an individual permit. The agreement sets up a framework where natural resource agencies at both state and federal levels can get involved and provide input early in the transportation design process. Liaisons are involved in the review of nine (9) projects under this agreement. Through the early involvement process there have been many successes which include: watershed-based approaches to environmental mitigation, advancement of engineering technology to better incorporate the natural environment, and substantial reductions in environmental impacts while meeting the purpose and needs of transportation. Overall projects that go through this early involvement process better balance the needs of the environment and transportation.

Washington State Streamlining Initiatives
In 2001 (and reauthorized in 2003), the Washington State Legislature passed Engrossed Senate Bill 6188, the Environmental Permit Streamlining Act, to coordinate streamlining of the environmental permitting process for transportation projects. The liaisons participate in three of six subcommittees and three pilot projects that have been created under this streamlining act. With the involvement of the liaisons, the USFWS has agreed to a programmatic approach to permitting and contributed to the development of a watershed-based mitigation approach that begins to incorporate the needs of USFWS trust resources. Additionally, through participation in the planning subcommittee, USFWS has been able to exchange information about USFWS responsibilities with state and local jurisdictions responsible for long-range transportation/land use planning. This exchange of information has resulted in the development of a proposal for integrating USFWS responsibilities into the long-range transportation and land use planning process. (For more information on this proposal, see abstract by Emily Teachout in these proceedings.)

Mitigation Banking
Liaison staff participate on the WSDOT Mitigation Bank Oversight Committee, which guides the development of mitigation bank proposals. Currently, the USFWS is participating in two efforts with this committee: (1) the North Fork Newaukum Mitigation Bank (230 acres in the upper Chehalis River watershed), and (2) the Willapa
Bay Programmatic Mitigation Agreement. With liaison participation, mitigation banking plans have been developed which are consistent with the federal mitigation policies, thereby providing assurance of federal approval when implemented, and which incorporate the needs of USFWS trust resources.

**Staff Consistency**
Liaisons at USFWS have been in place since the program started in 1999, with no staff turnover. Other agencies participating in the program have experienced high turnover. USFWS commitments to the liaison program, complete integration of liaisons in the USFWS and a supportive environment have contributed to maintaining staff in these positions. The continuity of staff has allowed the USFWS to obtain substantial training in transportation-related issues and improve consistency of project review.

**On-Going Challenges**
While the liaison program has experienced a number of successes for both the transportation and environmental resources, it continues to face a number of challenges. On-going challenges include:

**Workload Management**
State streamlining efforts have required substantial amounts of personnel time and commitment by the USFWS. Liaison time previously dedicated to “project delivery,” has been shared with staffing streamlining committee work and related efforts. As a result, “project delivery” has slowed. Additional challenges with workload lie with the priority setting and continual changes that occur with state budget shifts, resulting in inefficiencies. Ultimately, the liaison program would be most beneficial if liaison workloads were more evenly distributed among immediate project delivery needs, participation with early involvement programs (such as the Merger Agreement), which better balances environmental and streamlining efforts.

**Conservation of Threatened and Endangered Species**
The ultimate purpose of the Endangered Species Act of 1973, as amended in 1978, is to provide a means for conserving the ecosystems that threatened and endangered species depend upon. For a significant number of transportation projects that are reviewed under Section 7, the conditions of the environmental baseline is such that it only supports the current numbers and distribution of the listed species; frequently these conditions contributed to the need to list the species. In such cases, to meet the ultimate purpose of the ESA, environmental baseline conditions must be improved. However, under the Section 7 regulations and project review it is difficult to require actions that go beyond maintaining the environmental baseline. As a result, while the impacts of individual projects are being minimized the overall environmental baseline conditions are not improving.

**Communication, Respect and Trust**
One of the biggest challenges for the liaisons is to actively minimize an “us against them” mentality in the working relationship with transportation project proponents. There is a need to maintain a consistent line of communication and to work to foster a relationship that develops and maintains respect for what each agency is tasked to do and ultimately trust.

**Benefits**
The liaison program has resulted in numerous benefits for both the transportation agencies and the USFWS (table 1). With liaisons, USFWS has been able to maintain adequate involvement in multiple levels of transportation planning, design and permitting as well as in the environmental review process. This involvement has benefited transportation in continued project delivery, improved project design and better meeting the requirements for environmental compliance. For the USFWS, the benefits have come through a continued opportunity to provide information and education on the needs of USFWS trust resources, having concerns and issues regarding transportation impacts addressed, and especially where early involvement and input occurs, the minimization of transportation impacts on the environment.
Table 1.
Benefits of the liaison program for the USFWS and transportation agencies and their projects.

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<tr>
<th>LIAISON PROGRAM BENEFITS</th>
<th>USFWS</th>
<th>TRANSPORTATION</th>
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<tr>
<td>• Staff availability</td>
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<td>• Dedicated staff</td>
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<td></td>
<td>- Minimization of impacts</td>
<td>- Project review</td>
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<td></td>
<td>- In-house transportation expertise</td>
<td>- Familiar with needs and constraints</td>
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<td></td>
<td>- Consistency in project review</td>
<td>- new guidance and policy changes</td>
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<td>• Increased early involvement and input</td>
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<td>• Improved coordination and involvement at management and executive level</td>
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<tr>
<td>• Improved project tracking and accountability</td>
<td></td>
<td>• Increased early involvement and input</td>
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<td>• Enhanced awareness of streamlining opportunities</td>
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**Biographical Sketch:** Jennifer Quan’s background includes 11 years of experience as a biologist dealing with cetaceans, birds, and salmonid habitat enhancement and vegetative restoration in aquatic marine environments. Jennifer holds a bachelor’s degree in wildlife biology and master’s degree in natural resource policy and management. Currently she works as a fish and wildlife biologist with the U.S. Fish and Wildlife Service where she serves as a transportation liaison. Her work ranges from Endangered Species Act (ESA) consultation (Section 7), and environmental permit streamlining initiatives with Washington State Department of Transportation, to Fish and Wildlife Coordination Act Review under the National Environmental Policy Act (NEPA) and Clean Water Act (CWA). Additionally she participates in a variety of technical advisory teams that focus on the development of approaches to early agency involvement for long-term and large projects and approaches to watershed-based mitigation.

Emily J. Teachout is fish and wildlife biologist for the U.S. Fish and Wildlife Service, Western Washington Fish and Wildlife Office, in Lacey, Washington. For the past four years, Emily has served as transportation liaison, dedicated to the coordination and review of transportation projects and policies. She works closely with staff from the Washington State Department of Transportation, the Federal Highway Administration, and local jurisdictions proposing transportation improvements. Her work encompasses NEPA review of large-scale projects, ESA consultation, participation in streamlining initiatives, and guidance development. Prior to her current position, Emily was a Wetland specialist with the Washington Department of Ecology, private consultant, and itinerant field biologist. Emily holds a bachelor’s of science degree in ecology from The Evergreen State College in Olympia, Washington.