

# **Improving Early Coordination Workgroup**

## **Implementation Report**

April 15, 2009

# INTRODUCTION

The Program Management Team formed the Early Coordination Workgroup (workgroup) to identify ways to improve early coordination in the Section 7 consultation process. The workgroup defined “Early Coordination” as: *“... when the project team (WSDOT and consultants), FHWA, and the Services work together early to identify risks and opportunities, as well as information needs, in an environment of open communication, with the intent of increasing predictability and meeting timelines.”*

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The workgroup identified “gray area” informals (i.e., those that are not initially given much scrutiny, but concerns arise during Service review) as a particular challenge in early coordination efforts. These are often the consultations that take the most time and cause the most angst during review. The team focused on ways to address that situation and developed recommendations that were presented to the Program Management Team in January, 2009.

Of the initial recommendations presented to the Program Management Team, the workgroup was tasked with further developing two:

- 1) Providing a “menu” of early coordination options for project staff; and
- 2) Improving pre-consultation meeting effectiveness.

This Implementation Plan provides direction on accomplishing these recommendations.

“Improving Early Coordination Workgroup” team members:

- Emily Teachout – U.S. Fish and Wildlife Service (lead)
- Neil Rickard – National Marine Fisheries Service
- Leslie Durham – National Marine Fisheries Service
- Brian Hasslebach – Federal Highway Administration
- Sharon Love – Federal Highway Administration
- Marion Carey – WSDOT Environmental Services Office
- Bob Thomas – WSDOT Environmental Services Office
- Brian Bigler – WSDOT Northwest Region
- Phil Bloch – WSDOT Urban Corridors Office
- Rick Keniston – WSDOT Southwest Region
- Bill Leonard – WSDOT Highways and Local Programs
- Trevin Taylor – WSDOT Highways and Local Programs
- Cindy Callahan – David Evans and Associates

## Using a Menu of Early Coordination Options:

The workgroup developed a range of options to allow the greatest flexibility in accommodating the needs of specific projects. Options could include: site visits, attendance at the monthly pre-consultation meetings, and more informal follow-up meetings with the project teams. Expected benefits of this approach included: increased flexibility in meeting project needs, more solutions generated during site visits, more accurate/appropriate input given during or after seeing the site in-person, elimination of issues early, reduced project costs, and more efficient consultations. However, it is noted that this could be time-intensive at the outset.

- Informal communication (phone calls, and emails) regarding project consultations shall utilize single points of contact between the liaison and either the regional biologist or the Environmental Engineer at Highways and Local Programs.
  - ❑ Implementation Commitment: Informal communication utilizing one point of contact will be implemented and honored by WSDOT, the liaisons and the host agencies.
  
- All site visits will be coordinated through the Liaison Team Leads and either the Regional Biologist or Environmental Engineer at Highways and Local Programs.
  - ❑ Implementation Commitment: For most formal consultations, a site visit should be completed during the consultation process. Team leads at liaison host agencies will authorize and encourage staff to conduct site visits for formal consultations.
  - ❑ Implementation Commitment: On an as-needed basis, the Liaison Team Leads will support and approve staff to conduct site visits for informal consultations.
  
- Pre-Consultation Meetings remain an option for early coordination.
  - ❑ Implementation Commitment: Pre-Consultation Meetings shall be improved as described in the next section of this report.
  
- Early coordination shall continue to occur through existing processes such as National Environmental Policy Act (NEPA) forums coordinated through the Statewide Agency Group for Environmental Stewardship (SAGES).
  - ❑ Implementation Commitment: Not applicable (ongoing).

## Improving Pre-Consultation Meeting Effectiveness:

The workgroup evaluated the effectiveness of the monthly Pre-Consultation Meetings and developed the following strategies for improvement:

- Conduct meetings in a less formal setting. There was substantial feedback that the Commissioners Board Room sets an intimidating tone, especially when the liaisons are positioned like a formal panel.

- Implementation Commitment: Pre-Consultation Meetings were moved to the Shaman Room at WSDOT headquarters.
  - Implementation Commitment: WSDOT has begun to use web-based “Go-To Meetings” with the added benefit of reducing travel costs and increasing participation by out-of-town staff.
  
- When possible, all NMFS and USFWS liaisons will attend the Pre-Consultation Meeting. This will allow all staff to benefit from hearing diverse perspectives and will improve consistency through the review process.
  - Implementation Commitment: Liaison team leads will prioritize attendance by staff at each Pre-Consultation Meeting to the extent practicable and in consideration of existing workloads and areas of expertise, upon approval from the PMT.
  - Implementation Commitment: Use of “Go To Meeting” will make it easier for all liaisons, project staff, and regional biologists to participate.
  
- Conduct a workshop/training for liaisons and project staff: “How to Get the Most Out of a Pre-Consultation Meeting.” Topics will include: effective communication methods, what to expect at a pre-consultation meeting, overview of how work is assigned at host agencies, how to provide constructive feedback, how to enhance consistency of review by the Service, how to record comments, etc.
  - Implementation Commitment: WSDOT staff and liaisons will lead a workshop at an upcoming Bio-Roundtable or other suitable venue.
  - Implementation Commitment: WSDOT Environmental Services Office will make training materials available on their website within one month of the workshop.
  - Implementation Commitment: WSDOT Environmental Services Office will revise their Pre-Consultation Guidance document prior to the workshop. The revisions will incorporate these recommendations, per approval from the PMT.

## **Recommendations to Re-evaluate at a Later Date:**

- Utilize an objective facilitator for the Pre-Consultation Meeting. There was a great deal of discussion and mixed feelings on this topic. Originally, the group recommended to the PMT that an objective facilitator was important for improving the communication at the Pre-Consultation Meetings. Upon further discussion, and after taking current budget constraints into consideration, the group concluded that this recommendation could be tabled. Some workgroup members felt that other changes that were being implemented would alleviate the need for a facilitator (such as the “Go-To Meeting” format, use of a different meeting room, etc.). As a

result, the group decided to try implementing the other recommendations for one-year and then re-evaluating this issue.

- ❑ Implementation Commitment: The PMT will re-evaluate the need for an objective facilitator by April 2010.
- ❑ Implementation Commitment: Until April 2010, the WSDOT Environmental Services Office will continue to coordinate and host the meeting. A note taker and meeting coordinator from ESO will be present at each meeting.

## **Conclusion**

The workgroup will implement the above recommendations and commitments upon approval of this document by the PMT. In order to evaluate the extent to which these recommendations improve the early coordination process, the workgroup recommends that a follow-up survey be conducted of the workgroup participants and biology program staff at WSDOT's regional offices after the recommendations have been in place for one year.

While this effort focused on the coordination that is done prior to submittal of a biological assessment, the workgroup also identified a number of potential ways that overall consultation effectiveness could be improved. The workgroup made an effort to capture these ideas and concepts for further development in a memo (Appendix A). These ideas included input from a workgroup compiled by NMFS to develop a model focusing on what they termed as "keys to success" in the consultation process. The NMFS model lays out several steps that, if followed, could shorten consultation timeframes with their agency. Along with the "NMFS model" other ideas noted were: the development of a unified biological assessment outline, state wide utilization of the Federal Highway Administration's web-based biological assessment consultation process, and the development of a list of standardized terms and conditions.

# Memo

**To:** Program Management Team  
**From:** Emily Teachout  
**CC:** Early Coordination Workgroup  
**Date:** 6/16/2009  
**Re:** Preliminary Ideas on Consultation Efficiencies for Further Development

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Through the process of developing recommendations for improving the effectiveness of early coordination efforts, our workgroup identified several ideas and concepts that could further improve consultation effectiveness. While these concepts were viewed as not fitting entirely within the construct of “early coordination” we did not want to lose sight of them, and felt they warranted further examination, should the PMT wish to pursue them:

- The NMFS Model. Through the workgroup’s coordination with the PMT the following example was provided by NMFS to demonstrate what improved early coordination might look like as a project goes through the consultation process. This approach identified certain “keys to success”: early identification of contacts and issues, sharing of draft products, structuring the Biological Assessment (BA) like a Biological Opinion (BO), and technical editing and formatting early in the process. This process would utilize the following steps:
  1. Project would attend the Pre-Consultation meeting and present the project when it was at < 30% design. Points-of-contact on the project team and at NMFS would be identified.
  2. The project team would begin drafting the BA in the format of a BO.
  3. The project team would share draft products (sections of the BA or specific analyses) with NMFS as they are developed. The contact at NMFS could provide feedback, and/or begin completing those sections of the BO.
  4. The project team and the NMFS contact would work together to identify and resolve conflicts (utilizing PMT if necessary).
  5. Upon completion of the BA, issues will have already been resolved.
  6. The NMFS contact would finish the BO (45 days).

7. After the draft BO is completed, NMFS would utilize contractors from Herrera Environmental to edit and format the document (5 days).
8. The draft BO would be sent to Mike Grady for editing (5 days).
9. The draft BO would be sent back to the NMFS contact for editing (5-7 days).
10. The draft BO would go to final quality assurance and quality control (5 days).
11. If legal review was required this would take up to 20 days. If legal review was waived this would take 3 days.
12. The BO would then go to final formatting and review at the NMFS office in Lacey (3 days).
13. The BO would then go to Portland for signature (4 days).

The total time for the completion of the BO under this scenario would be 77 to 97 days.

- Develop a unified BA outline. This could resolve inconsistencies between various templates and recommended outlines to facilitate the structuring of BAs like BOs.
- Incorporate the use of the Federal Highway Administration's web-based BA system.
- Create a list of standard terms and conditions for requirements that regularly occur in BOs. This could improve predictability, and expedite review timeframes. Topics that might be addressed include: hydroacoustic monitoring requirements, turbidity monitoring requirements, fish handling protocols, and stormwater monitoring.