



United States Department of the Interior
U.S. Fish and Wildlife Service



Idaho Fish and Wildlife Office

Spokane Field Office

11103 East Montgomery Drive
Spokane Valley, Washington 99206
Telephone (509) 891-6839

Mr. Steve M. Fisher
CGD THIRTEEN (DPW-BRG)
912 2d Avenue
Seattle, Washington 98174-1067

July 20, 2018

Subject: Response to Formal Request to be a Cooperating Agency on the BNSF Sandpoint Connector Project

Dear Mr. Fisher:

Thank you for your letter, received July 13, 2018, requesting the U.S. Fish and Wildlife Service become a 'cooperating agency' in the context of the National Environmental Policy Act (40 CFR part 1501.6) during the planning and development of the BNSF Sandpoint Connector Project Environmental Assessment (EA).

Since Lake Pend Oreille is considered critical habitat for the threatened bull trout (*Salvelinus confluentus*) we have a vested interest in resource protection, and have consulted on many Federal projects in this watershed over the years through section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 et seq.).

We respectfully decline to become a cooperating agency under NEPA (40 CFR 1501.6). While we do have special expertise and jurisdiction related to the issues involved in the BNSF Sandpoint Connector Project, we believe it most appropriate for those strengths to be partnered through section 7 of the ESA. Although we would not be a cooperating agency, we are committed to helping you address your endangered species responsibilities by providing technical assistance at any time during your NEPA process. We believe it would be efficient and helpful for us provide technical assistance during the draft phase of the EA, and then fulfill our consultation responsibilities once the final action is determined.

We again thank you for your offer of partnership and we look forward to coordinating. Marshall Williams of my staff will have the lead role on this project and he can be contacted by phone at (509) 893-8038, or by email at Marshall.Williams@fws.gov. I look forward to your reply.

Sincerely,

For Gregory M. Hughes
State Supervisor