

BOB BEERBOWER  
FIRST DISTRICT

DICK DIXON  
SECOND DISTRICT

DAN WCCO  
THIRD DISTRICT

SANDRA DANIELS  
ADMINISTRATIVE ASSISTANT

## GRAYS HARBOR COUNTY STATE OF WASHINGTON

June 26, 2000

Kemper McMaster, State Supervisor  
Oregon Fish & Wildlife Office  
U. S. Fish and Wildlife Service  
2600 S.E. 98<sup>th</sup> Avenue, Suite 100  
Portland, Oregon 97266

Re: Request to Participate in NEPA Process as Joint Lead Agency or Cooperating Agency

Dear Mr. McMaster:

Pursuant to 40 C.F.R. @ 1506.2(b), the purpose of this letter is to request that Grays Harbor County be granted joint lead or cooperating agency status in the completion of the environmental assessment or environmental impact statement pursuant to the National Environmental Policy Act (NEPA) for the listing of coastal cutthroat trout in the Southwestern Washington/Columbia area as a threatened species. Pursuant to the regulation implementing NEPA, to which all federal agencies must comply (40 C.F.R. @ 150-7.1) state and local governments may be granted lead agency status (see 40 C.F.R. @ 1508.12) or cooperating agency status when the state or local government has "species expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment." 40 C.F.R. @ 1508.5. In this case, Grays Harbor County has special expertise relating to the analysis of the federal agency's proposed decision on the physical environment, custom, culture and local tax base.

Additionally, according to the regulations, federal agencies shall cooperate to the fullest extent possible with state and local agencies. The regulations specifically state:

- (b) Agencies shall cooperate With State and local agencies to the fullest extent. Possible to reduce duplication between INEPA and State and local requirements, unless the agencies are specifically barred from doing so by some other law...such cooperation shall be to the fullest extent possible  
Including:
  - (1) Joint planning processes;
  - (2) Joint environmental research studies
  - (3) Joint public hearings (except where otherwise provided by statute.)
  - (4) Joint environmental assessments.
- (c) Agencies shall cooperate with State and local agencies to the fullest extent possible to reduce duplication between NEPA and comparable State and local requirements, unless the agencies are specifically barred from doing so by some other law. Except for cases covered by paragraph (a)

Request to Participate In NEPA Process as Lead/Cooperating Agency

of this section, such cooperation shall be to the fullest extent possible, including joint environmental impact statements. In such cases one or more Federal agencies and one or more State or local agencies shall be joint lead agencies. When State laws or local ordinances have environmental impact statement requirements in addition to but not in conflict with those in NEPA, Federal agencies shall cooperate in fulfilling these requirements as well as those of Federal laws so that one document will comply with all applicable laws.

(d) To better integrate environmental impact statements into State or local planning processes, statements shall discuss any Inconsistency of a proposed action with any approved State or Local-plan and laws (whether or not federally sanctioned.) Where an inconsistency exists, the statement should describe the extent to which the agency would reconcile its proposed action with the plan or law. 40 C.F.R. @ 1506.2(b)(c)(d).

Therefore to ensure that the federal agency fully and adequately considers the effect of its proposed decision on the physical environment, customs, culture, and tax base of the citizens of Grays Harbor County, Grays Harbor County hereby requests to be named as a joint lead or cooperating agency.

We thank you for your consideration.

Sincerely,

BOARD OF COMMISSIONERS  
GRAYS HARBOR COUNTY

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Dick Dixon, Chair

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Bob Beerbower

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Dan Wood