

# Congress of the United States

Washington, DC 20510

March 17, 2022

Martha Williams  
Director  
United States Fish and Wildlife Service  
1849 C Street, NW  
Washington, D.C. 20240

Director Williams,

We write to you today to ask that you hire additional permanent staff for the United States Fish and Wildlife Service (USFWS) West Virginia field office and consider additional opportunities to expand the office's capacity to aid in addressing a caseload that, between January 2021 and January 2022 doubled. While we have great confidence in the leadership and current staff at the field office, they are currently working through over 1,000 Section 7 consultation submissions and technical assistance requests, and we expect the caseload to only increase as the Infrastructure Investment and Jobs Act (P.L. 117-58) continues to be implemented.

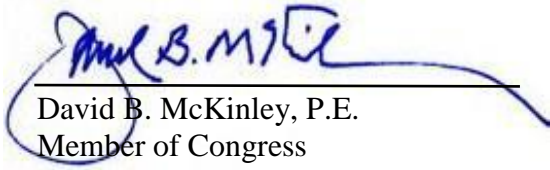
As you are aware, section 7 of the Endangered Species Act (ESA) (16 U.S.C. §§ 1536) requires infrastructure projects constructed by federal agencies or those supported by federal agencies to receive consultation from USFWS. This consultation ensures our threatened or endangered species or habitats will not be adversely affected during construction. In recent weeks, our offices have been contacted by Federal and State agencies and non-federal project sponsors who have highlighted significant delays in response to their submissions for consultations to the USFWS West Virginia field office. Historically, these submissions were returned within a few weeks. Reports indicate that they are now taking four to six months. That is unacceptable.

Many of these projects have construction deadlines set by other agencies regulations or funding agreements. These delays jeopardize critical projects across West Virginia which is slated to receive roughly \$6 billion through the bipartisan Infrastructure Investment and Jobs Act over the next five years. We appreciate the time that goes into the USFWS consultations to make sure all federal requirements are met and protections are in place for our wildlife and their habitats, and we look forward to working with you to resolve this issue.

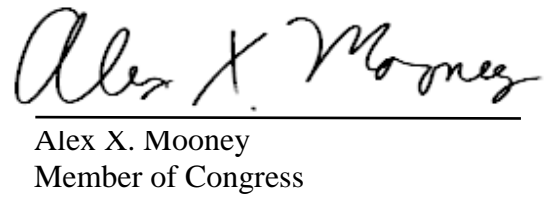
Warmest Regards,

  
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Joe Manchin III  
United States Senator

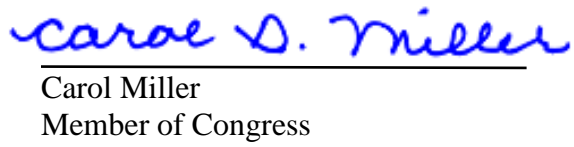
  
\_\_\_\_\_  
Shelley Moore Capito  
United States Senator



David B. McKinley, P.E.  
Member of Congress



Alex X. Mooney  
Member of Congress



Carol Miller  
Member of Congress