Ex. 5 - Deliberative Process

From: Dermer, Michele
Sent: Wednesday, June 08, 2016 12:48 PM
To: Albright, David <Albright.David@epa.gov>
Cc: Engelman, Alexa <ENGELMAN.ALEXA@EPA.GOV>
Subject: FW: Arroyo Grande Oil Field Aquifer Exemption: ESA Compliance

Ex. 5 - Deliberative Process

From: Albright, David
Sent: Friday, May 06, 2016 1:57 PM
To: Engelman, Alexa <ENGELMAN.ALEXA@EPA.GOV>; Moffatt, Brett <Moffatt.Brett@epa.gov>
Cc: Dermer, Michele <Dermer.Michele@epa.gov>
Subject: Fwd: Arroyo Grande Oil Field Aquifer Exemption: ESA Compliance

In case you have not seen this. Hopefully, the attachment is going through....

Sent from my iPhone

Begin forwarded message:

From: "Jean Su" <jsu@biologicaldiversity.org>
To: "Albright, David" <Albright.David@epa.gov>, "Montgomery, Michael" <Montgomery.Michael@epa.gov>
Cc: "Diane_noda@fws.gov" <Diane_noda@fws.gov>, "comments@conservation.ca.gov" <comments@conservation.ca.gov>, "jdmckenzie@co.slo.ca.us" <jdmckenzie@co.slo.ca.us>, "info@waterboards.ca.gov" <info@waterboards.ca.gov>, "Brandon.Sanderson@wildlife.ca.gov" <Brandon.Sanderson@wildlife.ca.gov>, "Dermer, Michele" <Dermer.Michele@epa.gov>, "Robin, George" <Robin.George@epa.gov>, "Kobelski, Bruce" <Kobelski.Bruce@epa.gov>, "Grevatt, Peter" <Grevatt.Peter@epa.gov>, "Beauvais, Joel" <Beauvais.Joel@epa.gov>, "Maya Golden-Krasner" <MGoldenKrasner@biologicaldiversity.org>, "'Brendan Cummings'" <bcummings@biologicaldiversity.org>, "'Kassie Siegel'" <ksiegel@biologicaldiversity.org>, "Laura McCamy" <LMcCamy@biologicaldiversity.org>
Subject: Arroyo Grande Oil Field Aquifer Exemption: ESA Compliance

Dear Mr. Albright and Mr. Montgomery,

I am writing to submit the attached letter regarding the proposed Arroyo Grande Oil Field aquifer exemption.

As noted in prior letters from the Center for Biological Diversity to the EPA, we maintain that the EPA should immediately deny DOGGR's request for the aquifer exemption. However, in the case that the EPA seeks to approve the aquifer exemption, the EPA is legally required to comply with the federal Endangered Species Act ("ESA") and, prior to any federal exemption approval, engage in Section 7 ESA consultation with respect to the federally endangered Pismo clarkia and numerous other ESA-listed species found on or nearby the project site of the proposed aquifer exemption.

Please contact me if you have any questions.

Kind regards,

Jean Su

Jean Su

Staff Attorney

Center *for* Biological Diversity

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