Message

From: Frazer, Brian [Frazer.Brian@epa.gov]
Sent: 4/24/2018 7:35:27 PM
To: Kaiser, Russell [Kaiser.Russell@epa.gov]; McDavit, Michael W. [Mcdavit.Michael@epa.gov]; Hurld, Kathy [Hurld.Kathy@epa.gov]
CC: Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]
Subject: FW: ACTION: FW: OW's E.O. 12866/13563 interagency review comments on the FWS/NMFS Proposed Rule entitled "Endangered and Threatened Wildlife and Plants; Revision of Regulation
Attachments: s7 regs FR announcement March19 2018_clean to OMB.DOCX; ATT00001.htm; OW Comments on DOI and DOC ESA NPRM.4.18.18.docx; ATT00002.htm

Folks – See John's note below. Please review and comment by Monday, April 30th .

Thanks

bf

From: Goodin, John
Sent: Tuesday, April 24, 2018 3:24 PM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Frazer, Brian <Frazer.Brian@epa.gov>; Wall, Tom <Wall.Tom@epa.gov>; Nelson, Tomeka <Nelson.Tomeka@epa.gov>
Cc: Connors, Sandra <Connors.Sandra@epa.gov>; Weiler, Katherine <Weiler.Katherine@epa.gov>; Chancey, Barbara <Chancey.Barbara@epa.gov>; Lousberg, Macara <Lousberg.Macara@epa.gov>
Subject: ACTION: FW: OW's E.O. 12866/13563 interagency review comments on the FWS/NMFS Proposed Rule entitled "Endangered and Threatened Wildlife and Plants; Revision of Regulation

Folks—I just learned about this action today at the ODs brown bag and I think we should weigh in. As I understand it, OMB has provided this draft regulation governing a revised approach to EPA and other agency programmatic and regulation reviews under ESA section 7. This has been an issue in CWA 404 assumption, CWA 303(d), and other OWOW programs. Apparently the draft was farmed out by OP with a due date of today and only OWM filed comments. However, Lee and Dave asked that we all make sure to review and contribute relevant comments or examples where there were issues or disagreements in approach (e.g., whether section 7 review is required at multiple points – TMDL, permit-- in implementing the CWA programs if it is assessed at the time of criteria /standard adoption). Lee is requesting extra time but has not received a response from OP.

Please work to compile comments via Tomeka by Monday if we don't hear of a different due date. And Tomeka, let me know if there is a process improvement that would ensure we review something of this import to OWOW programs.

Thanks!
John

From: Campbell, Ann
Sent: Wednesday, April 18, 2018 12:57 PM
To: Sawyers, Andrew <Sawyers.Andrew@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Nagle, Deborah <Nagle.Deborah@epa.gov>; Grevatt, Peter <Grevatt.Peter@epa.gov>
Cc: Lousberg, Macara <Lousberg.Macara@epa.gov>
Subject: Fwd: OW's E.O. 12866/13563 interagency review comments on the FWS/NMFS Proposed Rule entitled "Endangered and Threatened Wildlife and Plants; Revision of Regulation

As discussed at lunch.

Begin forwarded message:

From: "Lousberg, Macara" <Lousberg.Macara@epa.gov>
Date: April 18, 2018 at 12:50:36 PM EDT
To: "Ross, David P" <ross.davidp@epa.gov>, "Forsgren, Lee" <Forsgren.Lee@epa.gov>
Cc: "Campbell, Ann" <Campbell.Ann@epa.gov>, "Best-Wong, Benita" <Best-Wong.Benita@epa.gov>, "Evalenko, Sandy" <Evalenko.Sandy@epa.gov>, "Ruf, Christine" <Ruf.Christine@epa.gov>
Subject: FW: OW's E.O. 12866/13563 interagency review comments on the FWS/NMFS Proposed Rule entitled "Endangered and Threatened Wildlife and Plants; Revision of Regulation

Dave/Lee – attached are the Office of Water's proposed comments on the DOI's Fish and Wildlife Service (FWS) and DOC/NOAA's National Marine Fisheries Service (NMFS) Proposed Rule entitled "***Endangered and Threatened Wildlife and Plants; Revision of Regulations for Interagency Cooperation***". Given the focus on amending the Section 7 ESA consultation process, I wanted to offer you the opportunity to review both the proposed regulation and OW's proposed comments before we send them to OP. I've attached a clean copy of the rule and given you hard copies of both documents. Please let me know if you have any questions or would like to revise the comments. We have a tight deadline of COB today.

Macara