Message

From: Stoker, Michael B. [stoker.michael@epa.gov]
Sent: 11/11/2019 6:08:39 PM
To: Ross, David P [ross.davidp@epa.gov]
CC: McIntosh, Chad [mcintosh.chad@epa.gov]; Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Zimmer, Nathaniel [zimmer.nathaniel@epa.gov]; Munoz, Charles [munoz.charles@epa.gov]
Subject: Re: Consultation with Arizona Tribes re Arizona 404 Assumption MOA

And always like working with Lee on anything. :-)

Best regards,
Mike Stoker
Southwest Region Administrator US-EPA
(213) 215-3104

On Nov 11, 2019, at 9:47 AM, Ross, David P <ross.davidp@epa.gov> wrote:

Mike,

Ex. 5 Deliberative Process (DP)

Thanks.

Dave Ross
Assistant Administrator
Office of Water
(202) 564-5700

On Nov 11, 2019, at 11:51 AM, Stoker, Michael B. <stoker.michael@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Feel free to discuss if you want.

Best regards,
Mike Stoker
Southwest Region Administrator US-EPA
(213) 215-3104

On Nov 11, 2019, at 8:31 AM, Ross, David P <ross.davidp@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Nov 11, 2019, at 11:12 AM, McIntosh, Chad <mcintosh.chad@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP) Chad

From: Leopold, Matt (OGC) <Leopold.Matt@epa.gov>
Sent: Monday, November 11, 2019 9:42 AM
To: Stoker, Michael B. <stoker.michael@epa.gov>
Cc: Ross, David P <ross.davidp@epa.gov>; McIntosh, Chad <mcintosh.chad@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Zimmer, Nathaniel <zimmer.nathaniel@epa.gov>; Munoz, Charles <munoz.charles@epa.gov>
Subject: Re: Consultation with Arizona Tribes re Arizona 404 Assumption MOA

Ex. 5 AC/DP

Thanks, Matt

Sent from my iPhone

On Nov 1, 2019, at 6:38 PM, Stoker, Michael B. <stoker.michael@epa.gov> wrote:

Dave,

As you know Region 9 has been working closely with ADEQ to assist with their development of a 404 assumption request package. Currently, ADEQ expects to submit an assumption request to EPA in August 2020. Since the State began the assumption process in 2018, ADEQ and EPA have both engaged with tribes on this matter. We have also had good discussions with ADEQ, encouraging ADEQ's ongoing engagement with tribes and explored possible mechanisms to address tribal concerns in program development. While tribes acknowledge ADEQ efforts to better engage tribes in the assumption process, the Tribes remain concerned and are requesting EPA consultation now rather than waiting until the program is developed and submitted to EPA for our review and action.

Last week my Region 9 team and ADEQ senior management participated together in another tribal listening session on AZ 404 assumption at which tribal representatives strongly requested consultation with EPA now and again indicated that waiting to consult until the request package is submitted with will be too late to have their concerns substantively addressed. In addition, we have written requests for consultation from the Gila River Indian Community (10/11/19) and the Inter-Tribal Association of Arizona (10/21/19). We have discussed these requests with the State and ADEQ is open to going forward with consultation sooner rather than later. Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Best regards,
Mike Stoker
Southwest Region Administrator US-EPA
(213) 215-3104