Message

From: Kupchan, Simma [Kupchan.Simma@epa.gov]
Sent: 4/28/2020 8:53:29 PM
To: Wade, Alexis [Wade.Alexis@epa.gov]
Subject: RE: Florida's assumption rule - comments due Thursday

Thanks!

Simma Kupchan
EPA Office of General Counsel
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WJC North Building # 7426Q
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From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Tuesday, April 28, 2020 4:50 PM
To: Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: RE: Florida's assumption rule - comments due Thursday

Yeah, I think that's right.

Alexis Wade
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From: Kupchan, Simma <Kupchan.Simma@epa.gov>
Sent: Tuesday, April 28, 2020 4:41 PM
To: Wade, Alexis <Wade.Alexis@epa.gov>
Subject: Re: Florida's assumption rule - comments due Thursday

Region wants to confirm with you that you don't think written comments are necessary. Do you agree based on the end of the call?

Simma

On Apr 28, 2020, at 12:39 PM, Wade, Alexis <Wade.Alexis@epa.gov> wrote:

On the call with the region, we decided to ask Florida some of the clarifying questions at a 3:00 meeting with the state. Then we can determine whether it's necessary to provide written comments. It seems likely a conversation will suffice, unless they're opposed to making changes. The region also asked me to not send to David yet so we can coordinate what everyone sends to their respective managers.

Alexis Wade

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From: Wehling, Carrie <Wehling.Carrie@epa.gov>
Sent: Tuesday, April 28, 2020 10:41 AM
To: Wade, Alexis <Wade.Alexis@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Cc: Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: RE: Florida's assumption rule - comments due Thursday

Thanks, Alexis.

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From: Wade, Alexis <Wade.Alexis@epa.gov>
Sent: Tuesday, April 28, 2020 10:12 AM
To: Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: RE: Florida's assumption rule - comments due thursday

We're going through the doc now and discussing whether formal comments are necessary. So far, conversation seems more appropriate, but we're not very far along. I can provide citations for David to ease his review. I'll work on that after this call.

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From: Neugeboren, Steven <Neugeboren.Steven@epa.gov>
Sent: Tuesday, April 28, 2020 9:51 AM
To: Wade, Alexis <Wade.Alexis@epa.gov>
Cc: Wehling, Carrie <Wehling.Carrie@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>
Subject: Re: Florida's assumption rule - comments due thursday

I do think for defensibility purposes we should do whatever we can to facilitate clarity. This language is quite unclear. Strikes me that conversation may be appropriate. As for written comments is the region planning on sending otherwise? Would think we'd write them just for ESA. And I think we'd want to consult with David about whether/what to comment on.

As for David looking at it we would want to give him pinpoint citations you think be should see cause of his tone constraints.

Sent from my iPhone

On Apr 28, 2020, at 9:39 AM, Wade, Alexis <Wade.Alexis@epa.gov> wrote:

The region and HQ is reviewing Florida's assumption rule. I had a few comments, mainly questions and potential edits for clarity. There's

Ex. 5 Deliberative Process (DP)

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We have a call with the region at 10 and we'll discuss whether these comments should be provided formally or just discussed with Florida. There are a lot of questions in the document so it may make sense to have a conversation with Florida instead of formally submitting the comments. Florida's comment period ends Thursday. Do you all think we should send this to David for review? As I said, I don't see anything I'm going to fall on my sword over. The region or Kathy may have additional comments and we'll learn more at 10.

Thanks,
Alexis

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