Message

**From**: Kupchan, Simma [Kupchan.Simma@epa.gov]
**Sent**: 8/8/2018 8:29:33 PM
**To**: Wade, Alexis [Wade.Alexis@epa.gov]; Messier, Dawn [Messier.Dawn@epa.gov]
**CC**: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
**Subject**: FW: Florida 404 Assumption updates
**Attachments**: image2018-08-06-205339.pdf

Hi Alexis and/or Dawn,

Ex. 5 AC/DP

Ex. 5 AC/DP See below. I can take a first shot at this; would one of you be free to review and coordinate with me on it? I'm not sure how you want to divide up this issue between the two of you. Thank you!

Simma Kupchan
EPA Office of General Counsel
Water Law Office
202-564-3105
WJC North #7426Q

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**From:** Fotouhi, David
**Sent:** Wednesday, August 08, 2018 4:16 PM
**To:** Kupchan, Simma <Kupchan.Simma@epa.gov>
**Cc:** Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
**Subject:** RE: Florida 404 Assumption updates

Thanks, Simma. A Florida visit is news to me; I recall that Matt was planning to visit R4 in Atlanta on August 21. I will follow up with him.

Ex. 5 AC/DP

Best,

David

**David Fotouhi**

Deputy General Counsel
Office of General Counsel
U.S. Environmental Protection Agency
Tel: +1 202.564.1976
fotouhi.david@epa.gov

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**From:** Kupchan, Simma
**Sent:** Wednesday, August 8, 2018 2:21 PM
**To:** Fotouhi, David <Fotouhi.David@epa.gov>

**Cc:** Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Wehling, Carrie <Wehling.Carrie@epa.gov>
**Subject:** Florida 404 Assumption updates

Hi David,

We have heard that Dave Ross and Matt are planning to go to Florida the week of August 20 for meetings on Florida's assumption of the 404 program. This is the same week that R4 and FDEP staff are planning a face to face meeting. We wanted to check in with you to see if we could provide anything to assist Matt and Dave, or you, in advance.

Also, R4 has told us that Florida has given them the attached flowchart outlining an approach to addressing concerns about ESA liability for state-issued permits. Florida has informed R4 that industry representatives shared an identical chart with Dave Ross at a HQ meeting. I believe the RA may have called or may try to call Matt and Dave to discuss this approach. Ex. 5 AC/DP

Ex. 5 AC/DP

Ex. 5 AC/DP

Simma Kupchan
EPA Office of General Counsel
Water Law Office
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WJC North #7426Q