Message

From: Neugeboren, Steven [Neugeboren.Steven@epa.gov]
Sent: 9/28/2018 4:16:45 PM
To: Fotouhi, David [Fotouhi.David@epa.gov]
CC: Kupchan, Simma [Kupchan.Simma@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Wade, Alexis [Wade.Alexis@epa.gov]
Subject: Re: Documents for Florida stakeholder meeting

Great! Thanks.

Sent from my iPhone

Steven Neugeboren
Associate General Counsel for Water
U.S. EPA
202-564-5488

> On Sep 28, 2018, at 12:16 PM, Fotouhi, David <Fotouhi.David@epa.gov> wrote:
>
> To save Alexis some time, here's what I provided to Dave yesterday.
>
> David Fotouhi
>
> Deputy General Counsel
> Office of General Counsel
> U.S. Environmental Protection Agency
> Tel: +1 202.564.1976
> fotouhi.david@epa.gov<mailto:fotouhi.david@epa.gov>
>
> From: Fotouhi, David
> Sent: Thursday, September 27, 2018 12:56 PM
> To: Leopold, Matt (OGC) <Leopold.Matt@epa.gov>; Ross, David P <ross.davidp@epa.gov>
> Cc: Carla Veney <Veney.Carla@epa.gov>; Penman, Crystal <Penman.Crystal@epa.gov>; Mills, Derek <Mills.Derek@epa.gov>
> Subject: Documents for Florida stakeholder meeting
>
> Per Matt's request, attached to this email are a few background documents in anticipation of our stakeholder call tomorrow:
>
> * Flow-chart of Florida's proposed approach
> * Marquette County (6th Cir) opinion
> * First white paper from Florida regarding Florida 404 assumption beginning "Questions have been raised . . ." (undated)
> * White paper from Florida titled "Florida's Assumption of the 404 Program; Endangered Special Act Review" (Sept. 17)
> * White paper from Florida titled "Potential ESA compromise analysis and proposal" (Sept. 26)
> * WLO Draft response to FDEP memo (Aug. 31)
> * WLO Draft chart responding to FDEP memo (Aug. 31)
> * Draft MOA between FDEP and EPA (Sept. 25 draft)
> * Draft MOA between FDEP and Corps (Sept. 25 draft)
> * Draft MOA between FDEP, EPA, and the Services (Sept. 21 draft)
> * 2001 MOA between EPA and the Services discussing ESA consultation for the 402 program
> * Or. Natural Res. Council v. Hallock (D. Or. 2006)
> * American Forest & Paper Ass'n v. EPA (5th Cir. 1998)
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> Please let me know if you'd like to see any other documents.
>
> David Fotouhi
>
> Deputy General Counsel
> Office of General Counsel
> U.S. Environmental Protection Agency
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>
> <fr66-11202 (Coordination MOA).pdf>
> <image2018-08-06-205339.pdf>
> <Marquette 6th Cir Opinion.pdf>
> <Draft response to FDEP memo (083118 draft).docx>
> <Response to FDEP memo (CHART) 0831018 (asw).docx>
> <FL DA MOA 9.21.18.docx>

> <FL EPA MOA 9.21.18.docx>
> <Draft FL MOA btwn EPA FDEP Corps Services .docx>
> <Draft FL MOA btwn EPA FDEP Corps Services (092118).docx>
> <Potential ESA Compromise_Analysis and Proposal.pdf>
> <Agency Action Memo.pdf>
> <SSEC-Doug-P18082810080.pdf>
> <Or. Natural Res. Council v. Hallock_ 2006 U.S. Dist. LE.PDF>
> <American Forest & Paper Ass_n v. United States EPA_ 137.PDF>