Message

From: Goodin, John [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=3EAC342F280A4B9DB4079C81F66D1913-JGOODIN]
Sent: 2/15/2018 4:19:14 PM
To: Walker, Mary [walker.mary@epa.gov]
CC: Libertz, Catherine [Libertz.Catherine@epa.gov]; Steven Neugeboren [Neugeboren.Steven@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]
Subject: FW: Coordinating re criminal enforcement issues arising in the FL 404 delegation request

Mary— **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

Although it appears his folks are connecting with our staffs today, given the AO briefing this afternoon, is there something here that either of us need to raise to Trey, Matt, or Dave?
Thanks again,
John

From: Fisher, Mike
Sent: Wednesday, February 14, 2018 6:04 PM
To: Pollins, Mark <Pollins.Mark@epa.gov>; Denton, Loren <Denton.Loren@epa.gov>; Neugeboren, Steven <Neugeboren.Steven@epa.gov>; Goodin, John <Goodin.John@epa.gov>; Libertz, Catherine <Libertz.Catherine@epa.gov>
Subject: Coordinating re criminal enforcement issues arising in the FL 404 delegation request

Hi you all – our office learned earlier this week via a phone call from a Region 4 criminal enforcement attorney that the Region has been working for some months with OW, OGC and OECA civil enforcement folks on a FL application to assume delegated authority for the CWA 404 permitting program.

I'm surprised that we did not get looped into this conversation by WLO or WED, given that we have been working for over a year with those offices -- albeit different staffers from those on the FL matter -- regarding a pending Idaho request for 402 delegation. (The Idaho work has also involved OW/OWM folks; but since I don't know how much OWOW-OWM communication occurs, I don't know whether that part of the disconnect is surprising.)

Ex. 5 AC/DP

So I'm writing: (1) to give you all a quick heads up on this, and let you know that we're now engaged -- JT Morgan will meet tomorrow with your folks and will work to provide them soon with a brief write-up of the criminal enforcement authority issues as we see them; and (2) to extend an invitation to let me know if you all have any ideas re how to better coordinate on similar matters in the future. Though we can file this under "better late than never," I think it would have been better for all of our offices (and for the Agency generally, and for FL) had we been brought into the conversation earlier.

We look forward to working with your folks on this.

Thanks much --

Michael R. Fisher
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