From: Michael Bean
To: Kershaw, Jessica
Cc: Sarah D Greenberger; Noreen Walsh; James Lyons
Subject: Re: grouse
Date: Tuesday, October 07, 2014 2:26:21 PM

FWS can consider conservation actions that may affect the status of the species in several ways. For an action not yet implemented or not yet shown to be effective, FWS must thoroughly analyze and predict the certainty that it will be implemented and effective in order to consider whether it may contribute to listing being not warranted.

However, if a ROD for a federal action is already signed, FWS has a high degree of certainty that it will be implemented. That situation gives FWS a much stronger foundation on which to analyze the listing question. Thus, it is clearly better to have RODs signed sooner rather than later.

Sent from my iPad

On Oct 7, 2014, at 2:00 PM, "Kershaw, Jessica" <jessica_kershaw@ios.doi.gov> wrote:

> Thanks much. Will hold.
>
> On Tue, Oct 7, 2014 at 3:58 PM, Michael Bean <michael_bean@ios.doi.gov> wrote:
>
> > Will respond by 5.
> >
> > Sent from my iPad
> >
> > On Oct 7, 2014, at 1:41 PM, "Kershaw, Jessica" <jessica_kershaw@ios.doi.gov> wrote:
> >
> > > Hi Michael -
> > >
> > > I'm looking for some help from you to clarify AP's understanding (and my understanding too) re: a regulatory framework around the sage grouse.
> > >
> > > Here's the reporter's question - and I'm hopeful we can get back to him before 5pm EDT:
> > >
> > > Am I correct that when considering regulatory framework in place to protect a species, that framework must be adopted and not simply in the works? Or, more directly, do RODs have to be signed in order for planning amendments, EISs, to be considered as part of Fish and Wildlife Service determination on a sage grouse listing?
> > >
> > > Thanks in advance,
> > > Jessica

---------- Forwarded message ----------
From: **Brown, Matthew** <MBrown@ap.org>
Date: Tue, Oct 7, 2014 at 12:20 PM
Subject: grouse
To: "Kershaw, Jessica" <jessica_kershaw@ios.doi.gov>
Cc: "Beyer, Emily (emily_beyer@ios.doi.gov)" <emily_beyer@ios.doi.gov>, "lauren_lambert@ios.doi.gov" <lauren_lambert@ios.doi.gov>

Hi Jessica-

All roads lead back to you...I had a question for BLM about their timing on sage grouse and was referred back to you. Give me a call when you can on that—406 696 4213.

And I have a second question on the Endangered Species Act that I was hoping you might be able to run by Michael Bean or the appropriate party.

Am I correct that when considering regulatory framework in place to protect a species, that framework must be adopted and not simply in the works? Or, more directly, do RODs have to be signed in order for planning amendments, EISs to be considered as part of Fish and Wildlife Service determination on a sage grouse listing?

Thanks Jessica.

Matt Brown

<image001.jpg>

Matthew Brown

Associated Press Correspondent

PO Box 36300

Billings, MT 59107

mbrown@ap.org

phone-406 896 1528

mobile-406 696 4213

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Jessica Kershaw
Press Secretary, U.S. Dept of the Interior
@DOIPressSec
O: 202-208-6416
C: 202-669-0968

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O: 202-208-6416
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