

From: [Nuss, John](#)
To: [Burgess, Angela](#); [Bernstein, Jeffrey P](#); [Adams, Trish](#); [Freund, Kate](#); [Raymond, Anan](#)
Cc: [VanNess, Meg](#)
Subject: Re: NHPA APE letter to FWS
Date: Wednesday, October 28, 2020 9:09:57 AM
Attachments: [ne fws r-project area of potential effects determination mi 10mar17.pdf](#)

Angela,

See the attached pdf.

John

From: Burgess, Angela <Angela_Burgess@fws.gov>
Sent: Wednesday, October 28, 2020 6:55 AM
To: Bernstein, Jeffrey P <Jeff.Bernstein@sol.doi.gov>; Adams, Trish <trish_adams@fws.gov>; Freund, Kate <kate_freund@fws.gov>; Raymond, Anan <anan_raymond@fws.gov>; Nuss, John <john_nuss@fws.gov>
Cc: VanNess, Meg <Meg_VaNess@fws.gov>
Subject: Re: NHPA APE letter to FWS

Hi All,
Can someone send me the ACHP letter referenced? Want to make sure I'm on the same page.

I was involved in R-line issues but unfortunately wasn't part of the NHPA issues, but I'll try to track down info to answer the questions at hand.

Thanks,
Angela

Angela Burgess

Fish and Wildlife Biologist
Ecological Services
U.S. Fish and Wildlife Service
134 Union Blvd., Lakewood, Colorado 80228
303-236-4263
angela_burgess@fws.gov

For FWS IR 5&7 ES employees: For correspondence templates and resources, please see [Interior Regions 5 and 7's Correspondence OneDrive](#) or [Headquarters' Briefing Paper Template Sharepoint](#).

From: Bernstein, Jeffrey P <Jeff.Bernstein@sol.doi.gov>
Sent: Tuesday, October 27, 2020 4:57 PM
To: Adams, Trish <trish_adams@fws.gov>; Freund, Kate <kate_freund@fws.gov>; Raymond, Anan <anan_raymond@fws.gov>; Nuss, John <john_nuss@fws.gov>
Cc: Burgess, Angela <Angela_Burgess@fws.gov>; VanNess, Meg <Meg_VaNess@fws.gov>

Subject: Re: NHPA APE letter to FWS

Thanks Trish.

Meg and Angela - In case my email wasn't forwarded, here's what I asked:

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[Redacted text block containing approximately 10 lines of blacked-out content]

Is this something you can generated? Also, who was the SOL attorney working on the case?
Thanks

Jeff Bernstein
Attorney-Advisor
U.S. Department of the Interior
Office of the Solicitor
503-231-2355

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From: Adams, Trish <trish_adams@fws.gov>
Sent: Tuesday, October 27, 2020 12:35 PM
To: Bernstein, Jeffrey P <Jeff.Bernstein@sol.doi.gov>; Freund, Kate <kate_freund@fws.gov>; Raymond, Anan <anan_raymond@fws.gov>; Nuss, John <john_nuss@fws.gov>
Cc: Burgess, Angela <Angela_Burgess@fws.gov>; VanNess, Meg <Meg_VanNess@fws.gov>
Subject: Re: NHPA APE letter to FWS

Hi All,

I know a little about the R-project NHPA issues, but not enough to really answer Jeff's questions in any detail. I do know that before they issued the permit, the concerns raised by the SHPO/ACHP were resolved... but not sure how! I recommend talking with Meg VanNess or Angela Burgess in R6 (cc'd here).

Not sure if you're aware, but we were sued on R-project and NHPA compliance was part of it.

Thanks, Trish

Trish Adams
National Habitat Conservation Planning Coordinator
U.S. Fish and Wildlife Service Headquarters
Branch of Recovery and Conservation Planning
Ecological Services, MS: ES
5275 Leesburg Pike
Falls Church, VA 22041-3803
Office Phone: 703-358-2120
Office Fax: 703-358-1800
Office location: 2W010C
Email: trish_adams@fws.gov

From: Bernstein, Jeffrey P <Jeff.Bernstein@sol.doi.gov>

Sent: Tuesday, October 27, 2020 2:22 PM

To: Freund, Kate <kate_freund@fws.gov>; Raymond, Anan <anan_raymond@fws.gov>; Nuss, John <john_nuss@fws.gov>; Adams, Trish <trish_adams@fws.gov>

Subject: Re: NHPA APE letter to FWS

Kate - good idea. Thanks. Will someone please ask Service personnel in the region who in SOL they were working with.

Jeff Bernstein
Attorney-Advisor
U.S. Department of the Interior
Office of the Solicitor
503-231-2355

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received this e-mail in error, please notify the sender immediately and destroy all copies. Thank you.

From: Freund, Kate <kate_freund@fws.gov>

Sent: Tuesday, October 27, 2020 9:23 AM

To: Bernstein, Jeffrey P <Jeff.Bernstein@sol.doi.gov>; Raymond, Anan <anan_raymond@fws.gov>; Nuss, John <john_nuss@fws.gov>; Adams, Trish <trish_adams@fws.gov>

Subject: Re: NHPA APE letter to FWS

Hi Jeff - I'm copying Trish on your question regarding the details being the ACHP letter - this was not in our region so I don't have any additional information. Trish, are you familiar enough with this one to help answer Jeff's questions, or could connect him with the right people in the region? Jeff, perhaps talking to their regional solicitor would be most helpful?

Kate Freund
Conservation Planning/Hydropower
Ecological Services
U.S. Fish and Wildlife Service
503-702-8044

From: Bernstein, Jeffrey P <Jeff.Bernstein@sol.doi.gov>

Sent: Monday, October 26, 2020 3:28 PM

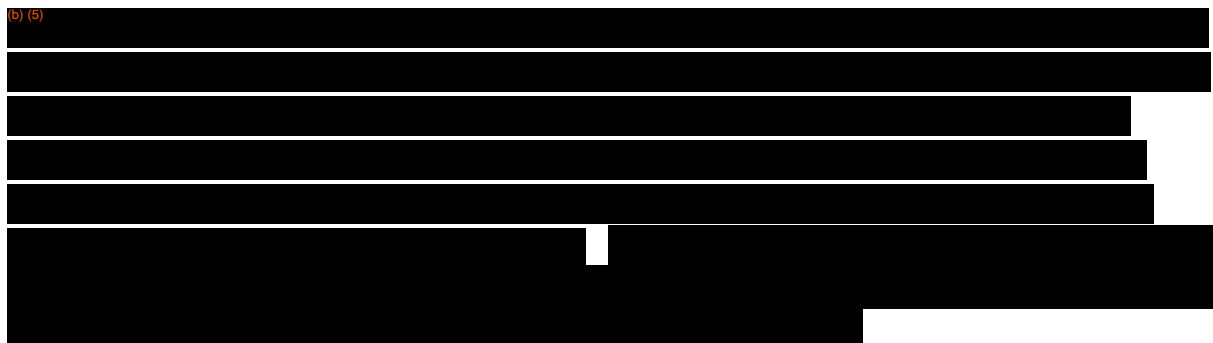
To: Raymond, Anan <anan_raymond@fws.gov>; Nuss, John <john_nuss@fws.gov>

Cc: Freund, Kate <kate_freund@fws.gov>

Subject: Re: NHPA APE letter to FWS

Attorney-client privileged information

(b) (5)



Jeff Bernstein
Attorney-Advisor
U.S. Department of the Interior
Office of the Solicitor
503-231-2355

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From: Raymond, Anan <anan_raymond@fws.gov>
Sent: Monday, October 26, 2020 2:54 PM
To: Nuss, John <john_nuss@fws.gov>
Cc: Freund, Kate <kate_freund@fws.gov>; Bernstein, Jeffrey P <Jeff.Bernstein@sol.doi.gov>
Subject: Re: NHPA APE letter to FWS

Thanks, I recall this now. I forgot how old it is.

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-A