

From: [Abate, Paul](#)
To: [Drew Crane](#)
Cc: [Doug Laye](#); [Laura Romin](#); [Kevin McAbee](#)
Subject: Fwd: Voluntary, informal request from HQ regarding EPAs Cooling Water Intake Structure Rule
Date: Tuesday, June 11, 2013 2:33:12 PM
Attachments: [316b Map.pdf](#)

Hello Mr. Crane,

We cannot accurately answer your questions without additional information regarding the specific name and location of the subject facilities that are depicted on the included map. Aside from not having that information, I am not aware of any consultations or HCPs that have been done in Utah on EPA regulated facilities. I am not specifically aware of EPA-regulated cooling water intakes in Utah that are impacting T&E species; however Utah's 7 listed fish species do occur in rivers that have signification amounts of water diverted for agricultural, municipal, and industrial purposes. Thus, there is potential for some overlap.

Let me know if you have additional questions or need additional information.

Thanks,

Paul Abate
Chief, Aquatic Endangered Species Branch
US Fish and Wildlife Service, Utah Field Office
2369 West Orton Circle, Suite 50
West Valley City, Utah 84119

paul_abate@fws.gov
(801)975-3330 x130
(801)975-3331 (fax)

----- Forwarded message -----

From: **Doug Laye** <doug_laye@fws.gov>
Date: Fri, May 31, 2013 at 8:03 AM
Subject: Voluntary, informal request from HQ regarding EPAs Cooling Water Intake Structure Rule
To: FW6 ESA Practitioner <fw6_esa_practitioner@fws.gov>

All, I'm clipping a portion of message and questions from Drew Crane at HQ. If you would like to respond, please respond directly to Drew and cc me.

Thanks, Doug

EPA will be finalizing a rule that will set standards for existing cooling water intake structures at various facilities that withdraw more than 2 million gallons of

water/day (primarily power plants and manufacturing facilities). In the attached map, they have identified where these facilities may occur. They have also determined that these facilities overlap approximately 207 listed species ranges. In most cases, the states are the permitting authority for these facilities. That means in instances where take is occurring, the state or the facility would need to develop an HCP to address any ongoing take issues. This could result in a significant workload increase for some field offices. We are attempting to avoid that situation by addressing this issue through a national programmatic consultation with EPA.

Could each of you poll your respective field offices to see if:

- they know of facilities with cooling water intakes in their area that are impacting T&E species?
- have they completed any consultations or HCPs for facilities that have cooling water intake structures?
- they are aware that this many facilities overlap T&E species in their area?

Even "yes, no" answers would be helpful at this point. Field offices can respond directly to me or you can forward on any responses you receive. If possible, I would appreciate any information they can provide by the end of next week.

Thanks!

Drew Crane

Biologist, Branch of Consultation & HCPs

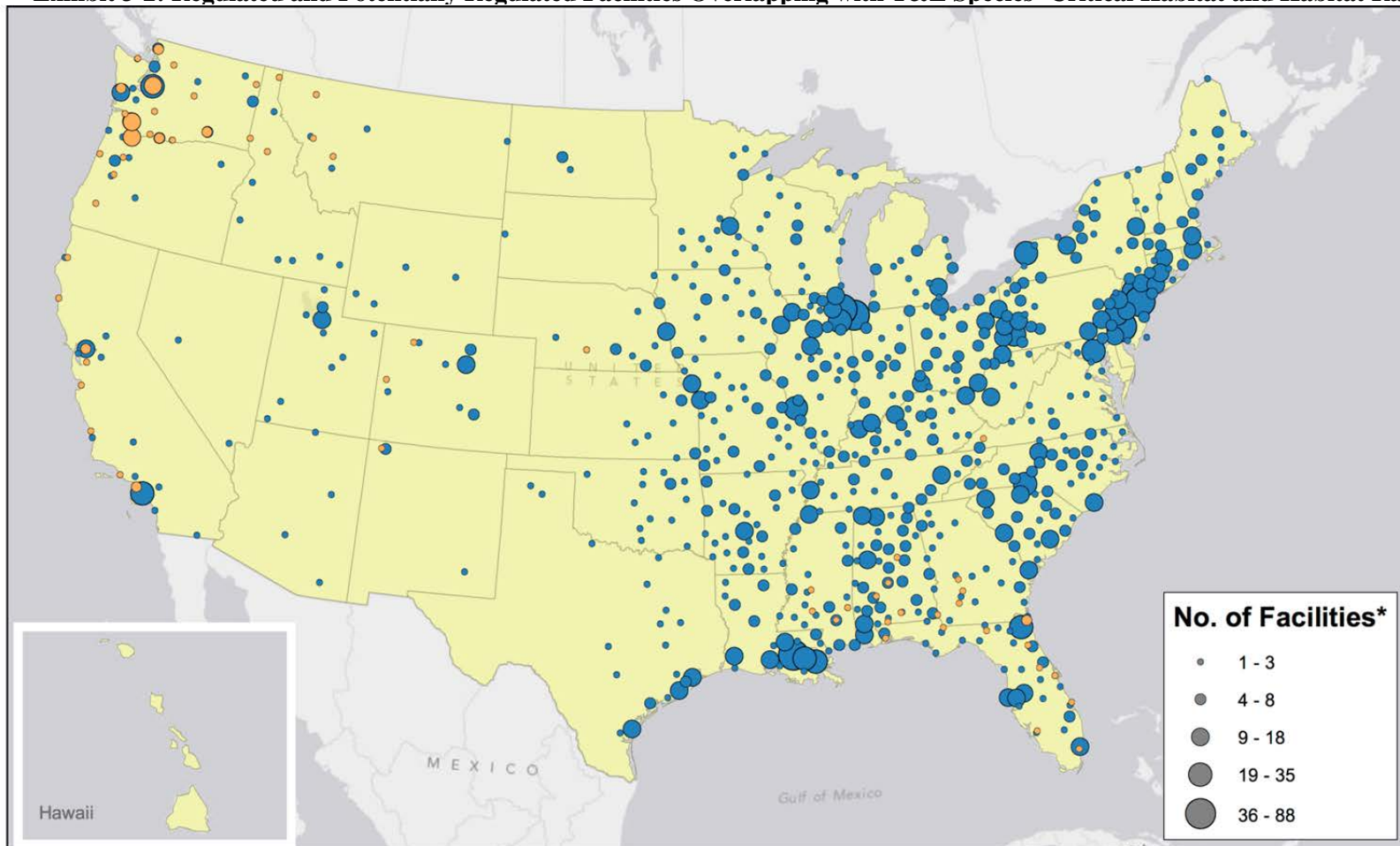
U.S. Fish and Wildlife Service

4401 N. Fairfax Drive, Room 415

Arlington, VA 22203

Phone: (703) 358-2409

Fax: (703) 358-1735

Exhibit 3-2: Regulated and Potentially Regulated Facilities Overlapping with T&E Species' Critical Habitat and Habitat Ranges

● Cooling water intakes within the habitat range of one or more T&E species (3,111 facilities). Source: IUCN, Nature Serve, FWS and NOAA

● Cooling water intakes within Critical Habitat designated for one or more T&E species (133 facilities). Source: U.S. FWS/NOAA

Note: Facilities with cooling water intake structures overlapping critical habitat are a subset of those facilities with cooling water intakes in the total habitat range of T&E species. A total of 3,111 facilities overlap with habitat and/or critical habitat of T&E species.

*The size of the point symbols reflects the number of facilities within a 10 mile radius.