

## Conversation Contents

**Fwd: For EO 12866/13563 review: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText -- Comments due Monday, 3/31**

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**"Apgar, Megan" <megan\_apgar@ios.doi.gov>**

**From:** "Apgar, Megan" <megan\_apgar@ios.doi.gov>  
**Sent:** Mon Mar 24 2014 13:07:54 GMT-0600 (MDT)

**To:** Edward Boling <ted.boling@sol.doi.gov>, Gary Frazer <gary\_frazer@fws.gov>, Rick Sayers <rick\_sayers@fws.gov>

**Subject:** Fwd: For EO 12866/13563 review: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText -- Comments due Monday, 3/31

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316(b) redline...Please send comments to me and Mark by OOB Monday 3/31/14.

Thanks,  
Megan Apgar  
Executive Secretariat and Regulatory Affairs  
Office of the Secretary  
Department of the Interior  
Voice: (202) 208-4582

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

From: **Higgins, Cortney** <(b)(6) Personal Privacy >  
Date: Mon, Mar 24, 2014 at 2:59 PM  
Subject: For EO 12866/13563 review: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText -- Comments due Monday, 3/31

To: "Kevin Bromberg ([kevin.bromberg@sba.gov](mailto:kevin.bromberg@sba.gov))" <[kevin.bromberg@sba.gov](mailto:kevin.bromberg@sba.gov)>, "Porat, Jonathan ([jonathan.porat@sba.gov](mailto:jonathan.porat@sba.gov))" <[jonathan.porat@sba.gov](mailto:jonathan.porat@sba.gov)>, Christine Kymn <[Christine.Kymn@sba.gov](mailto:Christine.Kymn@sba.gov)>, "Jack W O'Grady ([jwogrady@tva.gov](mailto:jwogrady@tva.gov))" <[jwogrady@tva.gov](mailto:jwogrady@tva.gov)>, "Portis, Benjamin C" <[bcportis@tva.gov](mailto:bcportis@tva.gov)>, "Miller, Edmund D CIV OSD OUSD ATL (US)" <[edmund.d.miller.civ@mail.mil](mailto:edmund.d.miller.civ@mail.mil)>, "Nehm, Lindsay R CIV USN CNO (US)" <[lindsay.nehm@navy.mil](mailto:lindsay.nehm@navy.mil)>, "Mathew, Asha" <[amathew@doc.gov](mailto:amathew@doc.gov)>, "Choe, Tricia" <[TChoe@doc.gov](mailto:TChoe@doc.gov)>, "Apgar, Megan ([Megan\\_Apgar@ios.doi.gov](mailto:Megan_Apgar@ios.doi.gov))" <[Megan\\_Apgar@ios.doi.gov](mailto:Megan_Apgar@ios.doi.gov)>, "Mark Lawyer ([Mark\\_Lawyer@ios.doi.gov](mailto:Mark_Lawyer@ios.doi.gov))" <[Mark\\_Lawyer@ios.doi.gov](mailto:Mark_Lawyer@ios.doi.gov)>, "DOE Reg Mailbox ([gc-71energyregs@hq.doe.gov](mailto:gc-71energyregs@hq.doe.gov))" <[gc-71energyregs@hq.doe.gov](mailto:gc-71energyregs@hq.doe.gov)>, "Goshe, Catherine" <[Catherine.Goshe@hq.doe.gov](mailto:Catherine.Goshe@hq.doe.gov)>, "Eric T Gormsen ([Eric.T.Gormsen@usdoj.gov](mailto:Eric.T.Gormsen@usdoj.gov))" <[Eric.T.Gormsen@usdoj.gov](mailto:Eric.T.Gormsen@usdoj.gov)>

Hi all,

Attached for your review are the 316(b) rule and preamble drafts in redline showing all changes EPA has made since the 11/27/13 drafts. (b)(5) Deliberative Process

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As a reminder, the attached materials are deliberative and pre-decisional and may not be shared or discussed with anyone outside of the Executive Branch. Feel free to share within your agency or department as appropriate. If you feel someone outside of your department should participate in this review, please let me know and I will forward to them. Please help us maintain the integrity of the interagency review process by respecting these process requirements.

Please provide any comments by COB Monday, 3/31. EPA is under a settlement agreement deadline to sign the rule by 4/17. In particular, please take a look to see if any of your prior comments have not been addressed, (b)(5) Deliberative Process.

EPA has modified their requirements and discussion for a number of issues. In particular, you may want to review the following sections of the draft preamble redline:

(b)(5) Deliberative Process

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Please let me know if you have any questions.

Regards,

Cortney

(b)(6) Personal Privacy

**"Sayers, Rick" <rick\_sayers@fws.gov>**

---

**From:** "Sayers, Rick" <rick\_sayers@fws.gov>  
**Sent:** Tue Mar 25 2014 04:28:31 GMT-0600 (MDT)  
**To:** Gary Frazer <gary\_frazer@fws.gov>, Paul Souza <Paul\_Souza@fws.gov>  
**Subject:** Fwd: For EO 12866/13563 review: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText -- Comments due Monday, 3/31  
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I'm not sure how we want to handle this since we will not resolve our consultation by 3/31.

(b)(5) Deliberative Process

My suggestion is that we formally transmit by 3/31 (b)(5) Deliberative Process

Rick Sayers  
Chief, Division of Environmental Review  
U.S. Fish & Wildlife Service-- Ecological Services  
4401 N. Fairfax Dr., Rm 420  
Arlington, VA 22203  
(703) 358-2442

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From: **Apgar, Megan** <[megan\\_apgar@ios.doi.gov](mailto:megan_apgar@ios.doi.gov)>

Date: Mon, Mar 24, 2014 at 3:07 PM

Subject: Fwd: For EO 12866/13563 review: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText -- Comments due Monday, 3/31

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Cc: Mark Lawyer <[mark\\_lawyer@ios.doi.gov](mailto:mark_lawyer@ios.doi.gov)>, Sarah Greenberger <[sarah\\_greenberger@ios.doi.gov](mailto:sarah_greenberger@ios.doi.gov)>

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Please let me know if you have any questions.

Regards,

Cortney

(b)(6) Personal Privacy

---

**Gary Frazer <gary\_frazer@fws.gov>**

**From:** Gary Frazer <gary\_frazer@fws.gov>  
**Sent:** Tue Mar 25 2014 05:58:37 GMT-0600 (MDT)  
**To:** "Sayers, Rick" <rick\_sayers@fws.gov>

**Subject:**

Re: For EO 12866/13563 review: Criteria and Standards for  
Cooling Water Intake Structures (RIN 2040-AE95) --  
Revised Preamble/RegText -- Comments due Monday, 3/31

Fine with me. (b)(5) Deliberative Process

-- GDF

Gary Frazer  
Assistant Director - Ecological Services  
(202) 208-4646

> On Mar 25, 2014, at 6:28 AM, "Sayers, Rick" <rick\_sayers@fws.gov> wrote:  
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> Rick Sayers  
> Chief, Division of Environmental Review  
> U.S. Fish & Wildlife Service-- Ecological Services  
> 4401 N. Fairfax Dr., Rm 420  
> Arlington, VA 22203  
> (703) 358-2442

> ----- Forwarded message -----  
> From: Apgar, Megan <megan\_apgar@ios.doi.gov>  
> Date: Mon, Mar 24, 2014 at 3:07 PM  
> Subject: Fwd: For EO 12866/13563 review: Criteria and Standards for Cooling

> Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText --  
> Comments due Monday, 3/31  
> To: Edward Boling <ted.boling@sol.doi.gov>, Gary Frazer <gary\_frazer@fws.gov>,  
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> Megan Apgar  
> Executive Secretariat and Regulatory Affairs  
> Office of the Secretary  
> Department of the Interior  
> Voice: (202) 208-4582

> ----- Forwarded message -----

> From: Higgins, Cortney <(b)(6) Personal Privacy >  
> Date: Mon, Mar 24, 2014 at 2:59 PM  
> Subject: For EO 12866/13563 review: Criteria and Standards for Cooling  
> Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText --  
> Comments due Monday, 3/31  
> To: "Kevin Bromberg (kevin.bromberg@sba.gov)" <kevin.bromberg@sba.gov>,  
> "Porat, Jonathan (jonathan.porat@sba.gov)" <jonathan.porat@sba.gov>,  
> Christine Kymn <Christine.Kymn@sba.gov>, "Jack W O'Grady (jwogrady@tva.gov)"  
> <jwogrady@tva.gov>, "Portis, Benjamin C" <bcportis@tva.gov>, "Miller,  
> Edmund D CIV OSD OUSD ATL (US)" <edmund.d.miller.civ@mail.mil>, "Nehm,  
> Lindsay R CIV USN CNO (US)" <lindsay.nehm@navy.mil>, "Mathew, Asha" <  
> amathew@doc.gov>, "Choe, Tricia" <TChoe@doc.gov>, "Apgar, Megan (  
> Megan\_Apgar@ios.doi.gov)" <Megan\_Apgar@ios.doi.gov>, "Mark Lawyer (  
> Mark\_Lawyer@ios.doi.gov)" <Mark\_Lawyer@ios.doi.gov>, "DOE Reg Mailbox (  
> gc-71energyregs@hq.doe.gov)" <gc-71energyregs@hq.doe.gov>, "Goshe,  
> Catherine" <Catherine.Goshe@hq.doe.gov>, "Eric T Gormsen (  
> Eric.T.Gormsen@usdoj.gov)" <Eric.T.Gormsen@usdoj.gov>

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>  
> (b)(5) Deliberative Process  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
> [REDACTED]  
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> Please let me know if you have any questions.  
>  
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>  
> Regards,  
>  
> Cortney  
>

> (b)(6) Personal Privacy

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**"Sayers, Rick" <rick\_sayers@fws.gov>**

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**From:** "Sayers, Rick" <rick\_sayers@fws.gov>  
**Sent:** Tue Mar 25 2014 06:07:10 GMT-0600 (MDT)  
**To:** Drew Crane <Drew\_Crane@fws.gov>  
**Subject:** Fwd: For EO 12866/13563 review: Criteria and Standards  
for Cooling Water Intake Structures (RIN 2040-AE95) --  
Revised Preamble/RegText -- Comments due Monday, 3/31

Drew--

(b)(5) Deliberative Process and  
then wrap it up with something that says we are still engaged in consultation pursuant to  
Section 7(a)(2) of the ESA and (b)(5) Deliberative Process  
[REDACTED]

Thanks!

Rick Sayers  
Chief, Division of Environmental Review  
U.S. Fish & Wildlife Service-- Ecological Services  
4401 N. Fairfax Dr., Rm 420  
Arlington, VA 22203  
(703) 358-2442

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From: **Gary Frazer** <[gary\\_frazer@fws.gov](mailto:gary_frazer@fws.gov)>  
Date: Tue, Mar 25, 2014 at 7:58 AM  
Subject: Re: For EO 12866/13563 review: Criteria and Standards for Cooling Water  
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To: "Sayers, Rick" <[rick\\_sayers@fws.gov](mailto:rick_sayers@fws.gov)>  
Cc: Paul Souza <[Paul\\_Souza@fws.gov](mailto:Paul_Souza@fws.gov)>, Patrice Ashfield <[patrice\\_ashfield@fws.gov](mailto:patrice_ashfield@fws.gov)>,  
Drew Crane <[Drew\\_Crane@fws.gov](mailto:Drew_Crane@fws.gov)>

Fine with me. (b)(5) Deliberative Process

-- GDF

Gary Frazer  
Assistant Director - Ecological Services  
(202) 208-4646

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> (b)(5) Deliberative Process

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[REDACTED]

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>

> Rick Sayers  
> Chief, Division of Environmental Review  
> U.S. Fish & Wildlife Service-- Ecological Services  
> 4401 N. Fairfax Dr., Rm 420  
> Arlington, VA 22203  
> (703) 358-2442

>

>

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> Date: Mon, Mar 24, 2014 at 3:07 PM

> Subject: Fwd: For EO 12866/13563 review: Criteria and Standards for Cooling

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> Rick Sayers <[rick\\_sayers@fws.gov](mailto:rick_sayers@fws.gov)>

> Cc: Mark Lawyer <[mark\\_lawyer@ios.doi.gov](mailto:mark_lawyer@ios.doi.gov)>, Sarah Greenberger <  
> [sarah\\_greenberger@ios.doi.gov](mailto:sarah_greenberger@ios.doi.gov)>  
>  
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>

> Thanks,  
> Megan Apgar  
> Executive Secretariat and Regulatory Affairs  
> Office of the Secretary  
> Department of the Interior  
> Voice: (202) 208-4582  
>  
>

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> From: Higgins, Cortney <(b)(6) Personal Privacy >  
> Date: Mon, Mar 24, 2014 at 2:59 PM  
> Subject: For EO 12866/13563 review: Criteria and Standards for Cooling  
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> To: "Kevin Bromberg ([kevin.bromberg@sba.gov](mailto:kevin.bromberg@sba.gov))" <[kevin.bromberg@sba.gov](mailto:kevin.bromberg@sba.gov)>,  
> "Porat, Jonathan ([jonathan.porat@sba.gov](mailto:jonathan.porat@sba.gov))" <[jonathan.porat@sba.gov](mailto:jonathan.porat@sba.gov)>,  
> Christine Kymn <[Christine.Kymn@sba.gov](mailto:Christine.Kymn@sba.gov)>, "Jack W O'Grady ([jwogrady@tva.gov](mailto:jwogrady@tva.gov))"  
> <[jwogrady@tva.gov](mailto:jwogrady@tva.gov)>, "Portis, Benjamin C" <[bcportis@tva.gov](mailto:bcportis@tva.gov)>, "Miller,  
> Edmund D CIV OSD OUSD ATL (US)" <[edmund.d.miller.civ@mail.mil](mailto:edmund.d.miller.civ@mail.mil)>, "Nehm,  
> Lindsay R CIV USN CNO (US)" <[lindsay.nehm@navy.mil](mailto:lindsay.nehm@navy.mil)>, "Mathew, Asha" <  
> [amathew@doc.gov](mailto:amathew@doc.gov)>, "Choe, Tricia" <[TChoe@doc.gov](mailto:TChoe@doc.gov)>, "Apgar, Megan (  
> [Megan\\_Apgar@ios.doi.gov](mailto:Megan_Apgar@ios.doi.gov))" <[Megan\\_Apgar@ios.doi.gov](mailto:Megan_Apgar@ios.doi.gov)>, "Mark Lawyer (  
> [Mark\\_Lawyer@ios.doi.gov](mailto:Mark_Lawyer@ios.doi.gov))" <[Mark\\_Lawyer@ios.doi.gov](mailto:Mark_Lawyer@ios.doi.gov)>, "DOE Reg Mailbox (  
> [gc-71energyregs@hq.doe.gov](mailto:gc-71energyregs@hq.doe.gov))" <[gc-71energyregs@hq.doe.gov](mailto:gc-71energyregs@hq.doe.gov)>, "Goshe,  
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>  
>

> Hi all,  
>

> Attached for your review are the 316(b) rule and preamble drafts in redline  
> showing all changes EPA has made since the 11/27/13 drafts. (b)(5) Exemptive Process  
> [REDACTED]

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> \*As a reminder, the attached materials are deliberative and pre-decisional  
> and may not be shared or discussed with anyone outside of the Executive  
> Branch\*. Feel free to share within your agency or department as  
> appropriate. If you feel someone outside of your department should  
> participate in this review, please let me know and I will forward to them.  
> Please help us maintain the integrity of the interagency review process by

> respecting these process requirements.

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> Please provide any comments by \*COB Monday, 3/31\*. EPA is under a

> settlement agreement deadline to sign the rule by 4/17. In particular,

> please take a look to see if any of your \*prior\* comments have not been

> addressed, (b)(5) Deliberative Process .

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>

> EPA has modified their requirements and discussion for a number of issues.

> In particular, you may want to review the following sections of the draft

> preamble redline:

(b)(5) Deliberative Process

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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> Please let me know if you have any questions.

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> Regards,

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> Cortney

>

> (b)(6) Personal Privacy

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ESA.clean.03....docx>

> <EO12866\_Cooling Water Intakes\_2040-AE95\_Final\_Preamble\_merged w

ESA.clea....docx>

**"Crane, Drew" <drew\_crane@fws.gov>**

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**From:** "Crane, Drew" <drew\_crane@fws.gov>  
**Sent:** Tue Mar 25 2014 06:21:29 GMT-0600 (MDT)  
**To:** "Sayers, Rick" <rick\_sayers@fws.gov>  
**Subject:** Re: For EO 12866/13563 review: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText -- Comments due Monday, 3/31

I'll get on it

Drew

On Tue, Mar 25, 2014 at 8:07 AM, Sayers, Rick <[rick\\_sayers@fws.gov](mailto:rick_sayers@fws.gov)> wrote:

Drew--

**(b)(5) Deliberative Process**

and then wrap it up with something that says we are still engaged in consultation pursuant to Section 7(a)(2) of the ESA and **(b)(5) Deliberative Process**

Thanks!

Rick Sayers  
Chief, Division of Environmental Review  
U.S. Fish & Wildlife Service-- Ecological Services  
4401 N. Fairfax Dr., Rm 420  
Arlington, VA 22203  
(703) 358-2442

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

From: **Gary Frazer** <[gary\\_frazer@fws.gov](mailto:gary_frazer@fws.gov)>

Date: Tue, Mar 25, 2014 at 7:58 AM

Subject: Re: For EO 12866/13563 review: Criteria and Standards for Cooling Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText -- Comments due Monday, 3/31

To: "Sayers, Rick" <[rick\\_sayers@fws.gov](mailto:rick_sayers@fws.gov)>

Cc: Paul Souza <[Paul\\_Souza@fws.gov](mailto:Paul_Souza@fws.gov)>, Patrice Ashfield

<[patrice\\_ashfield@fws.gov](mailto:patrice_ashfield@fws.gov)>, Drew Crane <[Drew\\_Crane@fws.gov](mailto:Drew_Crane@fws.gov)>

Fine with me. (b)(5) Deliberative Process

-- GDF

Gary Frazer  
Assistant Director - Ecological Services  
(202) 208-4646

> On Mar 25, 2014, at 6:28 AM, "Sayers, Rick" <[rick\\_sayers@fws.gov](mailto:rick_sayers@fws.gov)> wrote:  
>

> I'm not sure how we want to handle this since we will not resolve our  
> consultation by 3/31.

>  
> (b)(5) Deliberative Process

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> My suggestion is that we formally transmit by 3/31 (b)(5) Deliberative Process

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>  
> Rick Sayers  
> Chief, Division of Environmental Review  
> U.S. Fish & Wildlife Service-- Ecological Services  
> 4401 N. Fairfax Dr., Rm 420  
> Arlington, VA 22203  
> (703) 358-2442

>  
>  
> ----- Forwarded message -----

> From: Apgar, Megan <[megan\\_apgar@ios.doi.gov](mailto:megan_apgar@ios.doi.gov)>  
> Date: Mon, Mar 24, 2014 at 3:07 PM  
> Subject: Fwd: For EO 12866/13563 review: Criteria and Standards for Cooling  
> Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText --  
> Comments due Monday, 3/31

> To: Edward Boling <[ted.boling@sol.doi.gov](mailto:ted.boling@sol.doi.gov)>, Gary Frazer <[gary\\_frazer@fws.gov](mailto:gary_frazer@fws.gov)>,  
> Rick Sayers <[rick\\_sayers@fws.gov](mailto:rick_sayers@fws.gov)>  
> Cc: Mark Lawyer <[mark\\_lawyer@ios.doi.gov](mailto:mark_lawyer@ios.doi.gov)>, Sarah Greenberger <  
> [sarah\\_greenberger@ios.doi.gov](mailto:sarah_greenberger@ios.doi.gov)>

>  
>

> 316(b) redline...Please send comments to me and Mark by OOB Monday 3/31/14.

>  
>

> Thanks,  
> Megan Apgar  
> Executive Secretariat and Regulatory Affairs  
> Office of the Secretary  
> Department of the Interior  
> Voice: (202) 208-4582

>  
>

> ----- Forwarded message -----

> From: Higgins, Cortney <(b)(6) Personal Privacy >

> Date: Mon, Mar 24, 2014 at 2:59 PM

> Subject: For EO 12866/13563 review: Criteria and Standards for Cooling  
> Water Intake Structures (RIN 2040-AE95) -- Revised Preamble/RegText --  
> Comments due Monday, 3/31

> To: "Kevin Bromberg ([kevin.bromberg@sba.gov](mailto:kevin.bromberg@sba.gov))" <[kevin.bromberg@sba.gov](mailto:kevin.bromberg@sba.gov)>,  
> "Porat, Jonathan ([jonathan.porat@sba.gov](mailto:jonathan.porat@sba.gov))" <[jonathan.porat@sba.gov](mailto:jonathan.porat@sba.gov)>,  
> Christine Kymn <[Christine.Kymn@sba.gov](mailto:Christine.Kymn@sba.gov)>, "Jack W O'Grady ([jwogrady@tva.gov](mailto:jwogrady@tva.gov))" <  
> [jwogrady@tva.gov](mailto:jwogrady@tva.gov)>, "Portis, Benjamin C" <[bcportis@tva.gov](mailto:bcportis@tva.gov)>, "Miller,  
> Edmund D CIV OSD OUSD ATL (US)" <[edmund.d.miller.civ@mail.mil](mailto:edmund.d.miller.civ@mail.mil)>, "Nehm,  
> Lindsay R CIV USN CNO (US)" <[lindsay.nehm@navy.mil](mailto:lindsay.nehm@navy.mil)>, "Mathew, Asha" <  
> [amathew@doc.gov](mailto:amathew@doc.gov)>, "Choe, Tricia" <[TChoe@doc.gov](mailto:TChoe@doc.gov)>, "Apgar, Megan (  
> [Megan\\_Apgar@ios.doi.gov](mailto:Megan_Apgar@ios.doi.gov))" <[Megan\\_Apgar@ios.doi.gov](mailto:Megan_Apgar@ios.doi.gov)>, "Mark Lawyer (  
> [Mark\\_Lawyer@ios.doi.gov](mailto:Mark_Lawyer@ios.doi.gov))" <[Mark\\_Lawyer@ios.doi.gov](mailto:Mark_Lawyer@ios.doi.gov)>, "DOE Reg Mailbox (  
> [gc-71energyregs@hq.doe.gov](mailto:gc-71energyregs@hq.doe.gov))" <[gc-71energyregs@hq.doe.gov](mailto:gc-71energyregs@hq.doe.gov)>, "Goshe,  
> Catherine" <[Catherine.Goshe@hq.doe.gov](mailto:Catherine.Goshe@hq.doe.gov)>, "Eric T Gormsen (  
> [Eric.T.Gormsen@usdoj.gov](mailto:Eric.T.Gormsen@usdoj.gov))" <[Eric.T.Gormsen@usdoj.gov](mailto:Eric.T.Gormsen@usdoj.gov)>

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DOE Deliberative Process

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# Conversation Contents

316(b)

**"Sayers, Rick" <rick\_sayers@fws.gov>**

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**From:** "Sayers, Rick" <rick\_sayers@fws.gov>  
**Sent:** Fri Mar 21 2014 10:02:02 GMT-0600 (MDT)  
**To:** Gary Frazer <gary\_frazer@fws.gov>  
**Subject:** 316(b)

Cathy T called and folks at NMFS are anxious to get a sense of where we are headed so it might be good for you to give Donna a call when you have something you can share with her. I gave her my sense of our discussion but caveated that you had not yet spoken to Dan and so my read on things was still very preliminary and so please hold it close.

Rick Sayers  
Chief, Division of Environmental Review  
U.S. Fish & Wildlife Service-- Ecological Services  
4401 N. Fairfax Dr., Rm 420  
Arlington, VA 22203  
(703) 358-2442