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**From:** Livingston, Sue </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6C64F523E6FE40E4A883A5295030EC38-SUE\_LIVINGS>  
**To:** Russell, Daniel; Picco, Angela  
**Sent:** 3/9/2020 5:08:31 PM  
**Subject:** Question on final rule language.

Hi folks,

Just wanted to point out the following text I found and make sure this is what we wanted to say. At the end of the NCSO determination section (Status Throughout All of its Range), is the following:

Thus, after assessing the best available scientific and commercial information, we determine that the NCSO DPS of fishers is not in danger of extinction throughout its range, nor likely to become so in the foreseeable future. There are extensive uncertainties regarding population limiting factors for the DPS and the fishers within, more specifics on what comprises suitable habitat (especially related to disturbances) suitability, and the degree to which the threats affect the DPS over the long term.

The yellow highlighted text seems to stand out like a sore thumb after having made our determination. If that is what we meant to say, and where we want to say it, then I defer to the policy wonks. But I'm highlighting it in case it is a holdover from prior language that was moved or deleted and it should have been removed as well.

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