
From: Wilkinson, Susan </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=99497A7B699B4D8A87E1452EEE1402C9-SUSAN_WILKI>
To: Russell, Daniel; Picco, Angela; Crowell, Heidi
CC: Craghead, Anissa
Sent: 3/16/2020 11:53:50 AM
Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!
Attachments: FisherFinalRule_3.13.20_prb.docx

Attached is a revised version of the final rule. Please use it going forward. The attached version contains many subtle, small edits that will be nearly impossible to transcribe accurately to another version. I added a list of acronyms for you.

This email constitutes PRB surname of the attached version of the final rule to list a DPS of fisher.

Best regards,

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

JAO MISSION: To deliver innovative administrative services that advance the mission of the U.S. Fish & Wildlife Service.

From: Russell, Daniel <daniel_russell@fws.gov>
Sent: Friday, March 13, 2020 5:24 PM
To: Wilkinson, Susan <susan_wilkinson@fws.gov>
Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Thanks again, Susan...

If you can put the placeholder section for where you'd like the acronym list, we'll fill that in when we get it back from you.

Daniel Russell - Regional Classification Program Coordinator

California - Great Basin / Legacy Region 8

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

Office (916) 978-6191

Cell (916) 335-9060

From: Wilkinson, Susan <susan_wilkinson@fws.gov>
Sent: Friday, March 13, 2020 1:04 PM
To: Russell, Daniel <daniel_russell@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Yes, you can make those changes once I send it back.

Another thing that I suggest you do is add a List of Acronyms near the beginning of the rule. This rule includes many, many made-up acronyms (e.g., (NCSO, SSN, NSN, and SOC), so they are not commonly used and, therefore, widely recognized. It would be a great service to the public to have one list where they could check for acronyms instead of searching back through a very long rule.

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

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From: Russell, Daniel <daniel_russell@fws.gov>

Sent: Friday, March 13, 2020 3:51 PM

To: Wilkinson, Susan <susan_wilkinson@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Thanks, Susan...should we just fix those headings once you send it back to us, or were you wanting me to tell you how we'd like it to be changed? (I'm not looking to ask you to do anything for us! Just didn't know whether there'd be a problem with us making those changes once it comes back here?).

Daniel Russell - Regional Classification Program Coordinator

California - Great Basin / Legacy Region 8

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

Office (916) 978-6191

Cell (916) 335-9060

From: Wilkinson, Susan <susan_wilkinson@fws.gov>

Sent: Friday, March 13, 2020 12:16 PM

To: Russell, Daniel <daniel_russell@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>; Picco, Angela <Angela_Picco@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Yes, sorry for the confusion. I mean that those two were just examples.

I don't care how you all choose to differentiate between the various levels of headings and subheadings. I will leave that decision up to you. I just wanted you to be aware that underlined text will not print that way.

Thanks.

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

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From: Russell, Daniel <daniel_russell@fws.gov>

Sent: Friday, March 13, 2020 3:13 PM

To: Wilkinson, Susan <susan_wilkinson@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>; Picco, Angela <Angela_Picco@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Hi Susan,

I think the two you point to aren't the only examples!

For instance, prior to the "Existing Regulatory Mechanisms" main heading, we have "Threats," and in our Word doc, that's also underlined.

So it might be easiest to have those main heading just regular font (with no underlining), and then all the various subheadings can be italicized.

Does that make sense to you? Or if you have a preferred different approach, that's fine with us!

Thanks,

Dan

Daniel Russell - Regional Classification Program Coordinator

California - Great Basin / Legacy Region 8

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

Office (916) 978-6191

Cell (916) 335-9060

From: Wilkinson, Susan <susan_wilkinson@fws.gov>

Sent: Friday, March 13, 2020 11:55 AM

To: Russell, Daniel <daniel_russell@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>; Picco, Angela <Angela_Picco@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Okay, think I just have a final comment or two, and then I will return this doc to you. I wanted you to know that the Federal Register does not publish headings with underlines as such. Subheadings that appear in a Word document underlined will appear in the FR in italics. So I don't know if you want to change the way that you depict various subheadings. For example, these two subheadings appear in succession in the Word document. They will both be in italics in the rule printed in the FR---so they will look the same:

Existing Regulatory Mechanisms

Forest Service (USFS) and BLM

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

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From: Russell, Daniel <daniel_russell@fws.gov>

Sent: Friday, March 13, 2020 12:38 PM

To: Wilkinson, Susan <susan_wilkinson@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>; Picco, Angela <Angela_Picco@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

I think we can just delete that cross reference.

Thanks!

Daniel Russell - Regional Classification Program Coordinator

California - Great Basin / Legacy Region 8

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

Office (916) 978-6191

Cell (916) 335-9060

From: Wilkinson, Susan <susan_wilkinson@fws.gov>

Sent: Friday, March 13, 2020 9:31 AM

To: Russell, Daniel <daniel_russell@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>; Picco, Angela <Angela_Picco@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Also, I think we should either cite the specific comment referenced below or remove the cross-reference:

(61) Comment: Several commenters claimed that the range of the fisher in the NCSO subpopulation expanded. Some of these commenters provided maps delineating occupied fisher range (as determined by CDFW in 2010 and 2015), fisher location data from 1980 to 2019, and the Service's West Coast Fisher DPS boundary in support of their conclusion. Further, they questioned

the magnitude of impact of purported threats in light of this expansion.

Our Response: The maps provided by the commenters were developed using data sets from different time periods and are not directly comparable. Further, we did not receive data during the 2019 Revised Proposed Rule comment periods to suggest that the range of the fisher had expanded. The data we did receive confirmed what we understood about the distribution of fisher and presented in our 2019 Revised Proposed Rule. Please also see our response to comment above and our Determination of Status for the NCSO DPS addressing the magnitude of the threats. We find that the fisher NCSO DPS is widespread and common to the point where listing is not warranted at this time.

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

JAO MISSION: To deliver innovative administrative services that advance the mission of the U.S. Fish & Wildlife Service.

From: Russell, Daniel <daniel_russell@fws.gov>

Sent: Friday, March 13, 2020 11:09 AM

To: Crowell, Heidi <heidi_crowell@fws.gov>; Wilkinson, Susan <susan_wilkinson@fws.gov>; Picco, Angela <Angela_Picco@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Hang on, i've asked the FO team to take a look at it...i want to make sure it says what they want it to say.

Dan

Daniel Russell - Regional Classification Program Coordinator

California - Great Basin / Legacy Region 8

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

Office (916) 978-6191

Cell (916) 335-9060

From: Crowell, Heidi <heidi_crowell@fws.gov>

Sent: Friday, March 13, 2020 8:07 AM

To: Wilkinson, Susan <susan_wilkinson@fws.gov>; Picco, Angela <Angela_Picco@fws.gov>; Russell, Daniel <daniel_russell@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Try this out (remove small pop size given it's already included in the former sentence):

These present and ongoing threats cumulatively play a large role in both the current and future resiliency of the DPS.

From: Wilkinson, Susan <susan_wilkinson@fws.gov>

Sent: Friday, March 13, 2020 6:25 AM

To: Picco, Angela <Angela_Picco@fws.gov>; Russell, Daniel <daniel_russell@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Hi---the syntax of the second sentence doesn't make sense, and I'm not sure how to fix it:

The SSN DPS exists in low numbers across its range and faces a variety of ongoing threats that will result in losses of individual fishers or impede population growth, including continued loss and fragmentation of habitat (i.e., from high-severity wildfire and wildfire-suppression actions, climate change, tree mortality from drought, disease, and insect infestation, vegetation management, and development) and potential direct impacts to individuals (e.g., increased mortality, decreased reproductive rates, increased stress/hormone levels, alterations in behavioral patterns) from wildfire, increased temperatures, increased tree mortality, disease and predation, exposure to toxicants, vehicle collisions, and potential effects associated with small population size. These in conjunction with the small population size of the SSN DPS, the present and ongoing threats cumulatively play a large role in both the current and future resiliency of the DPS.

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

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From: Picco, Angela <Angela_Picco@fws.gov>

Sent: Wednesday, March 11, 2020 3:29 PM

To: Wilkinson, Susan <susan_wilkinson@fws.gov>; Prigan, Sara <sara_prigan@fws.gov>; Eanett, Jillian H <jillian_eanett@fws.gov>; Craghead, Anissa <anissa_craghead@fws.gov>

Cc: Russell, Daniel <daniel_russell@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>

Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Sorry, I forgot to mention that you should please send your review back to Heidi and Dan (cc'd here) to incorporate your changes. Thanks!

--

Angela Picco, Ph.D.
Deputy Chief of Ecological Services and Regional Recovery Coordinator
California-Great Basin Region 10 (formerly Pacific Southwest Regional Office-Region 8)
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2606
Sacramento, CA 95825
(916) 414-6490 (office)
(916) 335-5169 (work cell)

From: Picco, Angela <Angela_Picco@fws.gov>
Sent: Wednesday, March 11, 2020 12:28 PM
To: Wilkinson, Susan <susan_wilkinson@fws.gov>; Prigan, Sara <sara_prigan@fws.gov>; Eanett, Jillian H <jillian_eanett@fws.gov>; Craghead, Anissa <anissa_craghead@fws.gov>
Cc: Russell, Daniel <daniel_russell@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>
Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Hi Susan,

Attached is the fisher final rule for PRB review. Please let me know if you have any questions.

Thank you!

Angela

--

Angela Picco, Ph.D.
Deputy Chief of Ecological Services and Regional Recovery Coordinator
California-Great Basin Region 10 (formerly Pacific Southwest Regional Office-Region 8)
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2606
Sacramento, CA 95825
(916) 414-6490 (office)
(916) 335-5169 (work cell)

From: Picco, Angela <Angela_Picco@fws.gov>
Sent: Wednesday, March 11, 2020 9:16 AM
To: Wilkinson, Susan <susan_wilkinson@fws.gov>
Cc: Craghead, Anissa <anissa_craghead@fws.gov>; Russell, Daniel <daniel_russell@fws.gov>; Crowell, Heidi <heidi_crowell@fws.gov>
Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Hi Susan,

Yes! We are cleaning it up now, and will send it to you today. Thanks!

Angela

--

Angela Picco, Ph.D.
Deputy Chief of Ecological Services and Regional Recovery Coordinator
California-Great Basin Region 10 (formerly Pacific Southwest Regional Office-Region 8)
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2606
Sacramento, CA 95825
(916) 414-6490 (office)
(916) 335-5169 (work cell)

From: Wilkinson, Susan <susan_wilkinson@fws.gov>
Sent: Wednesday, March 11, 2020 8:56 AM
To: Picco, Angela <Angela_Picco@fws.gov>
Cc: Craghead, Anissa <anissa_craghead@fws.gov>
Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Hi, Angela---should we still expect to receive this rule today?

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

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From: Picco, Angela <Angela_Picco@fws.gov>
Sent: Wednesday, March 4, 2020 3:01 PM
To: Wilkinson, Susan <susan_wilkinson@fws.gov>
Cc: Craghead, Anissa <anissa_craghead@fws.gov>; Eanett, Jillian H <jillian_eanett@fws.gov>
Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Yes. Thank you!

--

Angela Picco, Ph.D.

Deputy Chief of Ecological Services and Regional Recovery Coordinator

California-Great Basin Region 10 (formerly Pacific Southwest Regional Office-Region 8)

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

(916) 414-6490 (office)

(916) 335-5169 (work cell)

From: Wilkinson, Susan <susan_wilkinson@fws.gov>
Sent: Wednesday, March 4, 2020 11:46 AM
To: Picco, Angela <Angela_Picco@fws.gov>
Cc: Craghead, Anissa <anissa_craghead@fws.gov>; Eanett, Jillian H <jillian_eanett@fws.gov>
Subject: Re: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

So PRB review will be conducted concurrently with Gary's review?

Susan L. Wilkinson

Senior Regulatory Analyst

Division of Policy, Economics, Risk Management, and Analytics; Policy and Regulations Branch

JOINT ADMINISTRATIVE OPERATIONS | U.S. Fish & Wildlife Service

5275 Leesburg Pike, MS: JAO/1N

Falls Church, VA 22041-3803

susan_wilkinson@fws.gov | office: (703) 358-2506

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mission of the U.S. Fish & Wildlife Service.

From: Picco, Angela <Angela_Picco@fws.gov>

Sent: Wednesday, March 4, 2020 2:34 PM

To: Craghead, Anissa <anissa_craghead@fws.gov>; Prigan, Sara <sara_prigan@fws.gov>; Wilkinson, Susan <susan_wilkinson@fws.gov>; Eanett, Jillian H <jillian_eanett@fws.gov>

Subject: Fw: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

I just heard that Marcia retired, and I seem to have only sent this message last week to her...sorry!

--

Angela Picco, Ph.D.

Deputy Chief of Ecological Services and Regional Recovery Coordinator

California-Great Basin Region 10 (formerly Pacific Southwest Regional Office-Region 8)

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

(916) 414-6490 (office)

(916) 335-5169 (work cell)

From: Picco, Angela <Angela_Picco@fws.gov>

Sent: Thursday, February 27, 2020 12:29 PM

To: Cash, Marcia <Marcia_Cash@fws.gov>

Subject: Early heads up that fisher rule is coming your way and will need expedited review...thank you!

Hello Sue, Anissa, Sara, and Marcia,

This is a heads up that our final rule for fisher will be heading your way sometime between March 9-11. The timeline is extremely crunched because of recent changes. Our small team is finishing writing tomorrow, and we are sending it to R8 RO, R1 RO, HQ, and RSOL for concurrent review and response to issues next week. It is due to Gary March 9, and we are shooting for this date. Caitlin advised that I reach out to you to give you a heads up that this is coming in and will likely need extremely expedited turnaround, and we apologize for that. Sorry and thanks for helping us move this one through. In case you are wondering why I am involved, I was tasked with leading the small team to get this completed, so I am your POC on this one for now.

Please let me know if you have any questions, and thanks for the help!

Angela

--

Angela Picco, Ph.D.

Deputy Chief of Ecological Services and Regional Recovery Coordinator

California-Great Basin Region 10 (formerly Pacific Southwest Regional Office-Region 8)

U.S. Fish and Wildlife Service

2800 Cottage Way, Room W-2606

Sacramento, CA 95825

(916) 414-6490 (office)

(916) 335-5169 (work cell)