
From: Materna, Elizabeth </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=2B9245B2E4EA45769085DB5B64318DC8-ELIZABETH_M>
To: Sawyer, Susan
Sent: 5/18/2020 4:42:11 PM
Subject: RE: Fisher-legal notice draft

Sounds good. This one was especially confusing.

Elizabeth

From: Sawyer, Susan <susan_sawyer@fws.gov>
Sent: Monday, May 18, 2020 1:39 PM
To: Materna, Elizabeth <elizabeth_materna@fws.gov>
Subject: Re: Fisher-legal notice draft

I don't know why it was in my brain to do a legal, so if we don't have to then we won't. Thanks for sending this excerpt, I tried a google search and couldn't find exact blurb.

sorry for the confusion on this, only takes me once to remember for next time! (well, I say that now.....)

Thank you!

susan

Susan Sawyer, Public Affairs Officer

USFWS External Affairs-California Great Basin Region 10
Klamath Basin (Klamath Falls and Yreka FWO; Klamath Basin Refuge)
1936 California Avenue
Klamath Falls, OR 97601
cell: 916 539 7436

In an effort to slow the spread of the coronavirus (COVID-19), the Yreka and Klamath Falls FWOs and the Klamath Basin refuge complex offices are implementing a telework protocol through the end of April. I am only able to respond to requests for information via email or by cell phone at this time. I appreciate your understanding. Stay aware, stay healthy!

From: Materna, Elizabeth <elizabeth_materna@fws.gov>
Sent: Monday, May 18, 2020 1:34 PM
To: Sawyer, Susan <susan_sawyer@fws.gov>
Subject: Re: Fisher-legal notice draft

Hey Susan,

We've only done legal notices for proposed rules and I was a bit confused when you mentioned it for fisher - but the fisher rulemaking process has been anything but typical, so I didn't question. I just double-checked the ESA language about notifications and there's nothing under final rules, only proposed. Below is excerpt.

(5) With respect to any regulation proposed by the Secretary to implement a determination, designation, or revision referred to in subsection (a)(1) or (3), the Secretary shall (A) not less than 90 days before the effective date of the regulation (i) publish a general notice and the complete text of the proposed regulation in the Federal Register, and (ii) give actual notice of the proposed regulation (including the complete text of the regulation) to the State agency in each State in which the species is believed to occur, and to each county or equivalent jurisdiction in which the species is believed to occur, and invite the comment of such agency, and each such jurisdiction, thereon; (B) insofar as practical, and in cooperation with the Secretary of State, give notice of the proposed regulation to each foreign nation in which the species is believed to occur or whose citizens harvest the species on the high seas, and invite the comment of such nation thereon; 7 (C) give notice of the proposed regulation to such professional scientific organizations as he deems

appropriate; (D) publish a summary of the proposed regulation in a newspaper of general circulation in each area of the United States in which the species is believed to occur; and (E) promptly hold one public hearing on the proposed regulation if any person files a request for such a hearing within 45 days after the date of publication of general notice.

I'll follow your lead with whatever you think best.

E

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Elizabeth Materna
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From: Sawyer, Susan <susan_sawyer@fws.gov>
Sent: Monday, May 18, 2020 12:57 PM
To: Materna, Elizabeth <elizabeth_materna@fws.gov>
Subject: Fisher-legal notice draft

Hi Elizabeth- do we publish legal notice for final rules? have only done for public comments open, fisher is the first final decision for me.

thanks!

susan

Susan Sawyer, Public Affairs Officer
USFWS External Affairs-California Great Basin Region 10
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