



McChesney, Gerry &lt;gerry\_mcchesney@fws.gov&gt;

## Fwd: SO 3355 Update and Draft Waiver Guidance

1 message

Roberson, Patricia &lt;patricia\_roberson@fws.gov&gt;

Fri, Mar 22, 2019 at 9:08 AM

To: Anne Morkill <anne\_morkill@fws.gov>, Chris Barr <chris\_barr@fws.gov>, Gerry McChesney <gerry\_mcchesney@fws.gov>, Barbara Goodyear <barbara.goodyear@sol.doi.gov>, Mark Pelz <mark\_pelz@fws.gov>, Stacy Armitage <stacy\_armitage@fws.gov>

Hi - I am forwarding waiver request guidance that we received last year from Gina Shultz. Although this is draft, it is still current as we have not received any final guidance.

Patricia

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

From: **Shultz, Gina** <gina\_shultz@fws.gov>

Date: Wed, Jun 6, 2018 at 2:28 PM

Subject: SO 3355 Update and Draft Waiver Guidance

To: Anna-Marie York <anna-marie\_york@fws.gov>, Ashley Stilson <ashley\_stilson@fws.gov>, Dan Cox <Dan\_Cox@fws.gov>, Dave Rothstein <Dave\_S\_Rothstein@fws.gov>, Frank Muth <frank\_muth@fws.gov>, Johnson, Mike <mike\_j\_johnson@fws.gov>, Kate Freund <kate\_freund@fws.gov>, Kim Lambert <kim\_lambert@fws.gov>, Kristin Young <kristin\_young@fws.gov>, Laura Noguchi <Laura\_Noguchi@fws.gov>, Lori Nordstrom <lori\_nordstrom@fws.gov>, Maria Boroja <maria\_boroja@fws.gov>, Marty Tuegel <marty\_tuegel@fws.gov>, Melissa Burns <melissa\_burns@fws.gov>, Patricia Roberson <patricia\_roberson@fws.gov>, Robert Curry <robert\_curry@fws.gov>, Robert Tawes <robert\_tawes@fws.gov>, Schmerfeld, John <john\_schmerfeld@fws.gov>, Theresa Rabot <theresa\_rabot@fws.gov>, Vicki Finn <vicki\_finn@fws.gov>, Wagener, Ella <ella\_wagener@fws.gov>, Ben Thatcher <ben\_thatcher@fws.gov>, Noah Matson <noah\_matson@fws.gov>

In this update, I will cover

- (1) Timeline and page limits for EAs
- (2) FWS Guidance for processing waiver requests
- (3) The NEPA and Permit Tracking Database and Project Plans

### EA Timeline and Page Limits

The Department drafted guidance, which we expect to be released any day. The draft guidance sets page limits at 50 for an EA; 75 if unusually complex (e.g., programmatic EAs), and the time limit is 6 months.

Effective immediately effort should be made to meet the 50-page and 6-month limits for future EAs as well as all EAs under development.

### EIS Waiver Guidance

The attached guidance is provided as interim guidance while we seek comment. Please provide comments on the draft guidance by June 20.

### NEPA Database and Project Plans

James Voyles, Counsel in Office of the Deputy Secretary, reviewed all of the entries in the Database. He has reached out to project leads with questions and compiled a list of each agencies entries that are incomplete or have an error (e.g., statement that waiver is pending, but a waiver has not been submitted). We were told that FWS has 13 incomplete/inaccurate entries. Our list will be provided to our Acting Assistant Secretary, Susan Combs. I suggest that each region/program review the entries and correct any errors and fill in missing information.

In the last update I requested feedback on the project plan template, its utility and whether to upload it into the database. I received feedback from 3 regions and one program. The regions and program found little to no utility in the plan and preferred that it not be required. Based on that information, we are not updating the template and we are not requiring its use.

Please call or email if you have questions, Gina

**Gina Shultz**  
**Deputy Assistant Director, Ecological Services**  
**U.S. Fish and Wildlife Service**  
**MS: ES**  
**5275 Leesburg Pike**  
**Falls Church, VA 22041-3803**  
**703-358-1985**

--

Patricia Roberson  
Refuge Operations Office  
Pacific Southwest Region  
916-414-6546 telephone  
916-414-6497 fax



**FWS EIS Waiver Process\_06-06-2018.docx**

23K