From:	Putnam, Christopher
To:	Tyler, Kip
Subject:	Re: [EXTERNAL] RE: Interagency Review - draft justification for Ocean Era NPDES permit modification
Date:	Wednesday, October 2, 2024 1:48:20 PM
Attachments:	image001.png

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Your responsibilities under the FIsh & Wildlife Coordination Act are also satisfied.

Christopher Putnam
Supervisor, Division of Environmental Review
U.S. Fish & Wildlife Service
Florida Ecological Services Office
777 37th Street, Suite D-101
Vero Beach, Florida 32960
772-226-8017 Office
772-563-3347 Mobile

"All that is gold does not glitter, not all those who wander are lost; the old that is strong does not wither, deep roots are not reached by the frost."
-- J.R.R. Tolkien

From: Tyler, Kip <Tyler.Kip@epa.gov>
Sent: Wednesday, October 2, 2024 13:46
To: Putnam, Christopher <christopher_putnam@fws.gov>
Subject: RE: [EXTERNAL] RE: Interagency Review - draft justification for Ocean Era NPDES permit modification

Thanks for providing this response. Did you consider the Fish and Wildlife Coordination Act when considering our request? If so, can you speak to that as well?

Kip Tyler
w 404.562.9294 | m 404.323.6094

From: Putnam, Christopher <christopher_putnam@fws.gov>
Sent: Wednesday, October 2, 2024 1:44 PM
To: Tyler, Kip <Tyler.Kip@epa.gov>
Subject: Re: [EXTERNAL] RE: Interagency Review - draft justification for Ocean Era NPDES permit modification

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Dear Mr. Tyler,

Based on the information that you provided in the original Ocean Era Biological Evaluation (BE) and the recent Permit Modification Justification (PMJ), specifically that the EPA made Endangered Species Act (ESA) no effect determinations in the BA and maintains those determinations in the PMJ, EPA has satisfied its responsibilities under the ESA. No further Action is required.

Christopher Putnam
Supervisor, Division of Environmental Review
U.S. Fish & Wildlife Service
Florida Ecological Services Office
777 37th Street, Suite D-101
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-- J.R.R. Tolkien

From: Tyler, Kip <Tyler.Kip@epa.gov>
Sent: Tuesday, October 1, 2024 08:52
To: Putnam, Christopher <christopher_putnam@fws.gov>
Subject: [EXTERNAL] RE: Interagency Review - draft justification for Ocean Era NPDES permit modification

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Hi Christopher.

I left you a voice message last week. Please let me know if you have any questions about the information I sent. Do you think that you can provide a response today or tomorrow? Thank you for working fast on this request.

Kip Tyler
w 404.562.9294 | m 404.323.6094

From: Tyler, Kip
Sent: Tuesday, September 24, 2024 3:54 PM
To: Putnam, Christopher <christopher_putnam@fws.gov>
Subject: RE: Interagency Review - draft justification for Ocean Era NPDES permit modification

Hi Christopher.

Thanks for returning my email so quickly. As we discussed, EPA issued a NPDES permit in 2022 for a small-scale marine aquaculture facility that is located about 45 miles from shore in federal waters of the Gulf of Mexico. The biological evaluation was created to comply with ESA Section 7 for the 2022 NPDES permit evaluated two bird species (red knot and piping plover) that fell under the jurisdiction of the USFWS. EPA determined that there was "no effect" on the 2 bird species. I have attached the biological evaluations that was finalized in 2020 and was used for the 2022 NPDES permit issuance.

EPA is now considering a modified NPDES permit to reflect revised operations by the permittee. Attached is a draft document that EPA is using to justify our decisions to not reinitiate consultations or environmental reviews. See sections 4.0 (summary of project changes), 9.1 (federal coordination and lead agency), and 9.2 (ESA).

Also, I forgot to mention during our conversation that the 2020 biological evaluation also covered the Fish and Wildlife Coordination Act (FWCA) consultation. See section 9.6 regarding FWCA.

Please let me know if USFWS is able to provide a written statement saying that reinitiation of ESA Section 7 and FWCA consultations for the modified project is not necessary.

Thanks so much.

Kip Tyler
Environmental Engineer

m: 404.323.6094
w: 404.562.9294
e: Tyler.Kip@epa.gov

U.S. EPA Region 4 | NPDES Permitting Section
61 Forsyth Street SW | Atlanta GA 30303-8960

From: Putnam, Christopher <christopher_putnam@fws.gov>
Sent: Tuesday, September 24, 2024 2:00 PM
To: Tyler, Kip <Tyler.Kip@epa.gov>
Subject: RE: Interagency Review - draft justification for Ocean Era NPDES permit modification

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Hi Kip,

This is a follow up email regarding our phone conversation about the Ocean Era aquaculture project and ESA compliance. My contact information is

included in this message. Let me know if you have any other questions. Thank you.

Christopher Putnam
Supervisor, Division of Environmental Review
U.S. Fish & Wildlife Service
Florida Ecological Services Office
777 37th Street, Suite D-101
Vero Beach, Florida 32960
772-226-8017 Office
772-563-3347 Mobile

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