

## EPA Official Record

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**Notes ID:** E0CC15E305F6738E85257AD80070FB2D

**From:** Michael Stover/R1/USEPA/US

**To:** Leann Jensen/R1/USEPA/US@EPA

**Copy To:** Jackie Leclair/R1/USEPA/US@EPA; "Cynthia Catri" <Catri.Cynthia@epamail.epa.gov>; "Mike Marsh" <marsh.mike@epamail.epa.gov>; "Ann Williams" <Williams.Ann@epamail.epa.gov>

**Delivered Date:** 10/26/2012 04:35 PM EST

**Subject:** Re: Fw: South Terminal -- Meeting to discuss production of final determination

ATTACHMENT: WTGHA.eml

Hi LeAnn,

I have been in Rhode Island all week at our tribal leaders summit and tribal environmental conference and just received the email string today.

Both tribes have been informed that the wetlands are saltwater, and that bulrush and cattail, as freshwater species, would not be able to be planted. Both tribes were sent a copy of the draft final mitigation plan on 10/11/2012 as soon as it was received. I have been at our Tribal Leaders Summit/Tribal Environmental Conference all week, and I expected both tribes to be present at the Tribal Leaders Summit/NHPA meeting on Tuesday 10/25. Bettina Washington from Wampanoag Tribe of Gay Head (Aquinnah) was present, and I once again approached her about it, informing her that we are under a tight timeframe and that we needed to know if she had any comments. She informed me that Ramona Peters from the Mashpee Wampanoag Tribe has taken ill and Bettina was not sure if Ramona would be in a position to respond, or if anyone in her staff would be able to. I asked her if she could speak with Ramona and determine if she (Bettina) could speak for both tribes, with Ramona's approval. Bettina said that she would speak to Ramona soon. I told Bettina that I would be contacting her in the next couple of days as we needed to have any comments in order to issue our determination by the end of the month.

Bettina sent me the attached email today, indicating that she tried unsuccessfully to get ahold of Ramona, and regarding the Wamapanoag Aquinnah's position, she relayed: "just speaking for our tribe, we will have to work out some kind of mitigation" (see attached). I informed Bettina that EPA needs to respond to the State with its final determination. I have added an additional paragraph regarding the wetlands consultation.

Mike Stover

From: Jackie Leclair/R1/USEPA/US  
To: "Michael Stover" <Stover.Michael@epamail.epa.gov>

Cc: "Cynthia Catri" <Catri.Cynthia@epamail.epa.gov>, "Ann Williams" <Williams.Ann@epamail.epa.gov>, "Mike Marsh" <marsh.mike@epamail.epa.gov>  
Date: 10/25/2012 05:54 PM  
Subject: Fw: South Terminal -- Meeting to discuss production of final determination

Mike - per my voice mail we need to close the loop with Tribes about mitigation. It is limited to salt marsh at this point which eliminates the possibility of using the previously requested cultural species. Thanks,  
Jackie

----- Original Message -----

From: Cynthia Catri  
Sent: 10/25/2012 05:37 PM EDT  
To: Jackie Leclair  
Subject: Fw: South Terminal -- Meeting to discuss production of final determination  
Jackie

Here's what I sent Mike; I haven't heard back from him yet. Thanks for following up on this.

----- Forwarded by Cynthia Catri/R1/USEPA/US on 10/25/2012 05:36 PM -----

From: Cynthia Catri/R1/USEPA/US  
To: Michael Stover/R1/USEPA/US@EPA, Leann Jensen/R1/USEPA/US@EPA  
Cc: Carl Dierker/R1/USEPA/US@EPA  
Date: 10/21/2012 11:30 PM  
Subject: Re: South Terminal -- Meeting to discuss production of final determination

Mike,

The 9/25/12 and 10/9/12 emails you refer to in your memo also need to be added to the adm. record. Also, did you get a response to the 10/9/12 email? Don't we need one to close the loop on this?

Mike/Leann

As you probably know, we are working on a very tight deadline. The Final Determination is to issue on October 31. Like you did for the Draft Determination, could you please work together to incorporate any new information received, contacts, consultations, findings, etc. that have occurred between the Draft Determination issued on July 16 and the Final which will issue on October 31 into the draft Final Determination. This means you have to update Appendix G in the Draft Determination and read through the Draft

Determination itself and make any necessary changes. Both documents will be on the q/share drive tomorrow. Please work together on this and reflect only one set of changes in both documents. Make all changes in redline/strikeout.

Please do this as soon as possible but no later than 10/25. Thanks. Call me with any questions.

From: Michael Stover/R1/USEPA/US  
To: Cynthia Catri/R1/USEPA/US@EPA  
Date: 10/09/2012 04:03 PM  
Subject: Re: South Terminal -- Meeting to discuss production of final determination

[attachment "Consultation Timeline.pdf" deleted by Michael Stover/R1/USEPA/US]  
[attachment "Mashpee 106 arch review.pdf" deleted by Michael Stover/R1/USEPA/US]

here you go... will you place in admin record?? :)

From: Cynthia Catri/R1/USEPA/US  
To: Michael Stover/R1/USEPA/US@EPA  
Cc: Ann Williams/R1/USEPA/US@EPA  
Date: 10/09/2012 08:54 AM  
Subject: Re: South Terminal -- Meeting to discuss production of final determination

Mike,

Thanks for being attentive to the adm. record stuff. Could you send me an electronic cc of your memo once completed.

From: Michael Stover/R1/USEPA/US  
To: Ann Williams/R1/USEPA/US@EPA  
Cc: Cynthia Catri/R1/USEPA/US@EPA  
Date: 10/05/2012 11:08 AM  
Subject: Re: South Terminal -- Meeting to discuss production of final determination

Hi Ann...

I am on training on Tues-Thurs, and my tasks are straightforward, so I can

follow up with the saltwater wetland mitigation with the tribes... and I will put a note in the admin record indicating the closure on the latest archaeological study consultation which resulted in no further comments from either tribe.

Mike

From: Ann Williams/R1/USEPA/US  
To: Phil Colarusso/R1/USEPA/US@EPA, Mike Marsh/R1/USEPA/US@EPA, paul.j.sneeringer@usace.army.mil, ElaineT Stanley/R1/USEPA/US@EPA, Kimberly Tisa/R1/USEPA/US@EPA, Michael Stover/R1/USEPA/US@EPA, Leann Jensen/R1/USEPA/US@EPA, William Walshrogalski/R1/USEPA/US@EPA, Ralph Abele/R1/USEPA/US@EPA  
Cc: Cynthia Catri/R1/USEPA/US@EPA  
Date: 10/05/2012 10:46 AM  
Subject: South Terminal -- Meeting to discuss production of final determination

Hi all,

Cindy and I would like to meet with everyone who has a role (small and large) in producing the final determination. For a variety of scheduling reasons, we need to meet with any many of you as possible on next Tuesday, October 9. (Kim -- we know you're out, so Cindy will talk with you separately). We will be divvying up the comments and figuring out who will be responding to which comment, and also we'll run through what the final document will address and who will do what. I'm sure more fun topics will come to mind once we get going.

Be there or be square. (Paul -- for you, "being there" can be in person or by phone, whichever works best for you).

Please email your availability to me ASAP and I'll set something up, get a room, etc.

thanks,  
Ann

- WTGHA.eml