

From: [Young, Hunter](#)
To: [Wyatt, Robert](#); [Ryan Barth](#)
Cc: [Jen Mott](#)
Subject: FW: Portland Harbor BiOp letter and Notification of ISS Field Pilot Study
Date: Thursday, September 14, 2023 3:44:43 PM
Attachments: [PH Notification of Action 2023 ISS FPS.pdf](#)
[Response to NMFS Request for Information for the Biological Opinion 030223.pdf](#)
[In-Water ISS ESA Memo 2023-02-22.pdf](#)

Bob,

See below and attached correspondence to NMFS regarding the substantive requirements of the Endangered Species Act and Magnuson-Stevens Fishery Conservation and Management Act.

Hunter Young
U.S. Environmental Protection Agency
Region 10 - Oregon Operations Office
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(503)-326-5020

From: Young, Hunter
Sent: Thursday, September 14, 2023 3:43 PM
To: kathleen.wells <kathleen.wells@noaa.gov>
Cc: Annie Birnie - NOAA Federal <Annie.Birnie@noaa.gov>; Jones, Jennifer M. <JonesJM@cdmsmith.com>; Peterson, Lance <petersonle@cdmsmith.com>; Latier, Andrea <Latier.Andrea@epa.gov>
Subject: Portland Harbor BiOp letter and Notification of ISS Field Pilot Study

Kate,

Attached is a letter from EPA documenting the lack of a Biological Opinion from NMFS after over two years of consultation on the Programmatic Biological Assessment. The letter also serves as notification of the start of the In Situ Stabilization and Solidification Field Pilot Study. EPA has determined that the Field Pilot Study meets the relevant and appropriate substantive requirements of the Endangered Species Act and Magnuson-Stevens Fishery Conservation and Management Act by implementing the best management practices and avoidance, minimization, and conservation measures included in the Programmatic Biological Assessment and all additional information provided to NMFS throughout consultation. Also attached are two documents containing supporting information relevant to the Field Pilot Study that were previously submitted to NMFS on March 2, 2023 for your reference.

Let me know if you have any questions.

Hunter Young
U.S. Environmental Protection Agency
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GASCO0053794

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