



Re: Fw: Via Verde - Draft Letter
Kevin Bricke to: John Filippelli

03/31/2011 10:53 AM

It's a good letter! Enjoy the Yankees!

John Filippelli Kevin, As requested. .John -----

03/31/2011 10:44:38 AM

From: John Filippelli/R2/USEPA/US
To: "Kevin Bricke" <Bricke.Kevin@epamail.epa.gov>
Date: 03/31/2011 10:44 AM
Subject: Fw: Via Verde - Draft Letter

Kevin, As requested. .John

Sent from my BlackBerry Wireless Device
Judith Enck

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

From: Judith Enck
Sent: 03/31/2011 08:04 AM EDT
To: John Filippelli
Subject: Fw: Via Verde - Draft Letter
Please let me know by noon today if this looks ok to u. Thanks
Sent by EPA Wireless E-Mail Services
Carl Soderberg

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

From: Carl Soderberg
Sent: 03/31/2011 07:20 AM AST
To: Judith Enck
Subject: Re: Via Verde - Draft Letter
Hi Judith!

As requested here is the draft of the letter we plan to submit to the COE.



Via Verde Draft Follow Up letter - CORRECTED.docx

Teresita Rodriguez Carl, Attached you'll find a draft letter which incl...

03/30/2011 06:46:23 PM



Via Verde NEPA Talking Points.
John Filippelli to: Carl Soderberg
Cc: Kevin Bricke, Bonnie Bellow

04/27/2011 09:31 AM

Carl,

As discussed, some NEPA talking points are below. Please let me know if you have any questions. Good luck with today's event.

John Filippelli, Acting Deputy Director
Division of Environmental Planning & Protection
EPA Region 2
212-637-3736

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- The U.S. Army Corps of Engineers (USACE) is the federal agency responsible for the issuance of Clean Water Act Section 404 permits. EPA is a participant in the Section 404 permitting process. Our focus is insuring that the Section 404(b)(1) guidelines (CFR Part 230) are met, in short the avoidance, minimization and mitigation of wetlands impacts.
 - As the permitting agency, it is the USACE's responsibility to decide which level of National Environmental Policy Act (NEPA) documentation is appropriate to support the permitting action. Specifically, the USACE must determine whether a federal Environmental Impact Statement (EIS) is necessary.
 - Each federal agency has its own regulations for implementing NEPA. EPA may recommend that additional environmental documentation be prepared. However, the decision still rests with the USACE.
 - Section 309 of the Clean Air Act states the EPA, "... shall review and comment in writing on the environmental impact of ... any major Federal agency action." EPA's April 2011 letter to the USACE on Via Verde focuses on wetlands and water quality environmental impacts and mitigation.
 - The Council on Environmental Quality (CEQ), in the Office of the President, has oversight of how agencies implement NEPA.