

Meeting Proposal Information Form

*Please complete this form and send to gareth_rees@ios.doi.gov

To ensure that the appropriate individual within the Department of the Interior is meeting with you on a given matter and because the Office of the Deputy Secretary is committed to maintaining the highest ethical standards, we request that you answer the following questions before we will agree to schedule a meeting.¹ Therefore, please provide your request in writing and answer the following questions either on this sheet or a separate one.

Describe the action you are seeking by the Office of the Deputy Secretary: Discussion about disagreement between the Oil & Gas ESA Coalition and USFWS HQ over agency policy regarding the scope of habitat conservation plans.

Meeting date: Ideally, we would like to meet sometime between February 13 and 16, 2018

Meeting location: No preference

Contact information (Name, Email, Phone):

Peter Schaumberg
pschaumberg@bdlaw.com
(202) 789-6043

Parker Moore
pmoore@bdlaw.com
(202) 789-6028

With which Bureau or Agency does your agenda most align? (Please list all, if more than one.)

USFWS

Please indicate whether the matter related to the request involves:

- a) Specific parties, such as a particular litigation matter, a specific permit decision, or a contract;
- b) A discrete and identifiable class of persons, such as a regulation or legislation that applies to a specific industry; or
- c) A broad and diverse range of persons, such as a resource management plan or broad legislation?

If you answered “a)” above:

- **Please identify the specific parties if possible:** The Oil & Gas ESA Coalition

¹In order to avoid even the potential appearance of a lack of impartiality, the Deputy Secretary agreed that, for one year after his withdrawal from his former firm, he would not participate personally and substantially in any particular matter involving specific parties in which he knows his former firm is or represents a party, unless authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). He also agreed not to participate personally and substantially in any particular matter involving specific parties in which he knows a former client of his is or represents a party for a period of one year after he last provided service to that client, unless he is first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). In addition, per the Administration Ethics Pledge, the Deputy Secretary agreed that he will not for a period of two years from the date of his appointment participate in any particular matter involving specific parties in which a former employer or client of his is or represents a party, if he served that former employer or client during the two years prior to his appointment, absent a waiver under Section 3 of Executive Order No. 13770. This includes recusal from any meeting or other communication with such a former employer or client unless (1) there are five or more different stakeholders present and (2) no particular matters involving specific parties are discussed.

- **If the specific parties are identified, are you aware that any party is represented by Brownstein Hyatt Farber Schreck, LLP in this particular matter?**

Yes

No

- **If yes, please identify any such specific party:**

Please explain the time sensitivity of the request, if any, including what is driving the timing of the request, such as court-ordered or statutory deadline:

Our next in-person meeting with USFWS is scheduled for February 28 – March 2. This disagreement has delayed work on an HCP by 18 months.

If the requested action involves the interpretation or application of a particular policy, regulation, or statute, please provide the underlying text along with any briefing material sufficiently in advance of any meeting so that it can be reviewed before the meeting.

Section 10 of the ESA

Expected meeting participants (name, title, and organization):

Peter Schaumberg, Principal, Beveridge & Diamond PC
Parker Moore, Principal, Beveridge & Diamond PC
Andrew Morrison, Managing Attorney, MarkWest Energy / Chair, Oil & Gas ESA Coalition

If the Deputy Secretary is unable to meet, is a surrogate desired? If yes, who specifically?

At the recommendation of USFWS, we prefer to meet with the Deputy Secretary