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To: [Potter, Stephanie E](#)
Cc: [Alt, Nicole](#); [Nelson, Marjorie \(Mari\)](#)
Subject: Timeline for Colorado wolf 10(j)
Date: Monday, May 22, 2023 1:12:29 PM
Attachments: [20230406_TPs_Final_CO_Wolf_10j_Rule_Schedule_v3.docx](#)
[Outlook-0lwa5gcy.png](#)
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Hello, Stephanie:

Marj asked that I send you the following schedule (presented in a variety of formats) for the subject package:

You may access the file here: [20230406_TPs_Final_CO_Wolf_10j_Rule_Schedule_v3.docx](#)
or

It is attached as a Word document for your use.

Please let me know if we can be of any additional assistance.

Sincerely,

Craig.



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Internal Talking Points:
Schedule for the Final Rule to
Designate a Nonessential Experimental Population of the
Gray Wolf (*Canis lupus*) in the State of Colorado under
Section 10(j) of the Endangered Species Act

April 4, 2023 – Version 2.1

There are **nine documents** that must be drafted, finalized, reviewed, surnamed, and signed over the next 11 months before the subject final rule becomes effective on **December 15**, a target date that ensures we accommodate Colorado Parks and Wildlife’s (CPW’s) **December 31, 2023**, release deadline and also accounts for the year-end holidays. These nine documents, listed in reverse order from the December 15, 2023, deadline are:

1. The **Final Rule**, which to become effective by **December 15** must publish in the *Federal Register* by Wednesday **November 15**.
2. The **Final Record of Decision (ROD)**, which must be signed by either the **Regional Director** or the **Director** *before* the Director signs the Final Rule, so by Wednesday **November 8, 2023**.
3. The **Notice of Availability (NOA)** for the **Final Environmental Impact Statement (FEIS)** and **draft ROD**, which must publish in the *Federal Register* at least 30 days before the final ROD is signed, so by Friday **October 6, 2023**.
4. The **NOA for the 10(a)(1)(A) permits**, which should also publish by Friday **October 6, 2023**.
5. The **FEIS**, which is not signed but needs to travel with the package, is due to the RO by **July 13, 2023**.
6. The **draft ROD**, also due to the RO by **July 13, 2023**.
7. The **10(a)(1)(A) permits**, also due to the RO by **July 13, 2023**.
8. The **OIRA Significance Memo** for the final rule, which is due to the RO by April 24, 2023.
9. The intra-Service biological opinion.

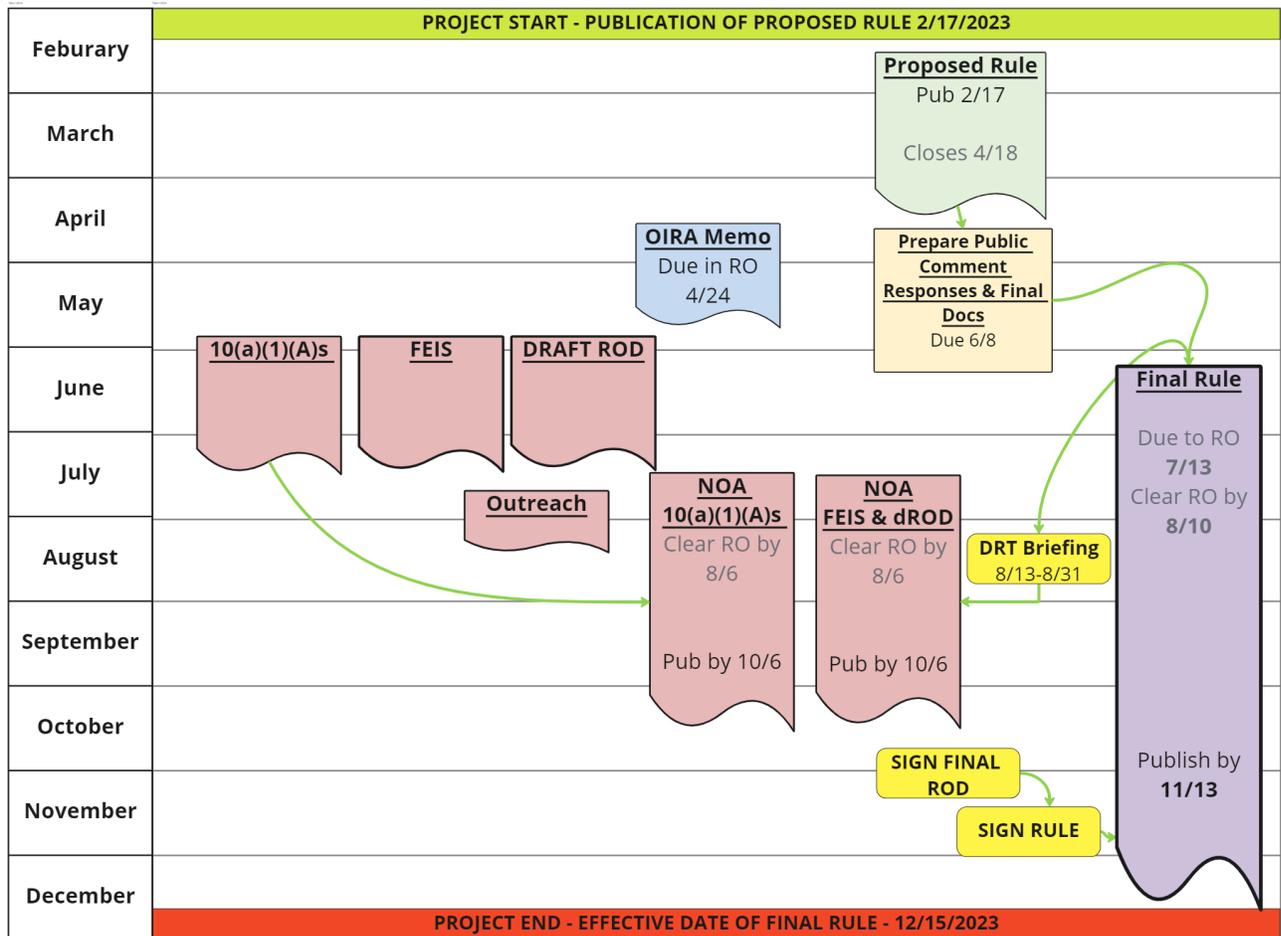
We will also need briefing materials for meetings with OIRA and the Department Review Team (DRT). Additionally, outreach materials will be needed by **July 21, 2023**.

In order to publish the **Final Rule** by **November 15** and the two NOAs by **October 6**, all surname and signature routings must be completed according to the Due Dates in the following table. This schedule is also available as a detailed Gantt chart [here](#).

DUE DATE in 2023	TASK(S) DUE
April 24	<ul style="list-style-type: none"> • RD surnames OIRA Significance memo and R6 transmits to HQ.
June 2	<ul style="list-style-type: none"> • OIRA’s significance determination is due no later than this date.
July 13	<ul style="list-style-type: none"> • Due to RO ES: <ul style="list-style-type: none"> ○ Final Rule ○ Drafts of the FEIS and ROD ○ Two NOAs: one for the FEIS/draft ROD and one for the 10(a)(1)(A)s ○ Biological Opinion for the final rule. ○ ASK for DRT Briefing to be scheduled.
July 21	<ul style="list-style-type: none"> • Outreach from the OC is due in order to be included in the surname package • Package compilation, review, and surname by SAT project manager and Recovery Coordinator • PRB’s preliminary review of the Final Rule and the two NOAs
July 28	<ul style="list-style-type: none"> • Branch Supervisor for Classification and Recovery surnames Final Rule and two NOAs • RSOL surname of Final Rule and two NOAs • HQ preliminary review of Final Rule and two NOAs.
August 4	<ul style="list-style-type: none"> • Division Manager and ARD surname of Final Rule and two NOAs • Cross-Regional concurrence of Final Rule and two NOAs
August 11	<ul style="list-style-type: none"> • Regional Director surnames Final Rule and two NOAs
August 14- September 1	<ul style="list-style-type: none"> • Department Review Team (DRT) Briefing must occur within this 3-week period and no later than September 1
August 18	<ul style="list-style-type: none"> • PRB surnames Final Rule and two NOAs <ul style="list-style-type: none"> ○ PRB transmits the two NOAs to Director and DOI for clearance to publish (these do not require HQ ES review)
September 1	<ul style="list-style-type: none"> • HQ ES Branch and Division surname of Final Rule • Director surnames the two NOAs
September 15	<ul style="list-style-type: none"> • AD ES surname of Final Rule
September 29	<ul style="list-style-type: none"> • Director surname of Final Rule • FWP & ExecSec surname the two NOAs and provide clearance to publish • Regional Director e-signs the NOAs
October 2	<ul style="list-style-type: none"> • PRB transmits the two NOAs to the OFR for publication
October 6	<ul style="list-style-type: none"> • Publish the two NOAs (FEIS/dROD and 10(a)(1)(A)s) (30-day waiting before ROD can be signed) • Transmit to FEIS to EPA.
October 13	<ul style="list-style-type: none"> • FWP surname of Final Rule
November 3	<ul style="list-style-type: none"> • ExecSec surname of Final Rule and clearance to publish
November 9	<ul style="list-style-type: none"> • Regional Director or Director signs the final ROD. • Director signs Final Rule

November 10	<ul style="list-style-type: none"> PRB transmits Final Rule to the OFR for a November 15 publication date (NLT 2 pm ET)
November 15	<ul style="list-style-type: none"> Publish Final rule in the FR (30-day waiting period)
December 15	<ul style="list-style-type: none"> Effective date of the Final Rule
December 31	<ul style="list-style-type: none"> CPW expects to release wolves

The figure below summarizes the documents and their respective duration, from development to finalization, over the 11-month timeline:



Based on this schedule, here is a table of critical dates, in descending order:

CRITICAL DATES		
Final Rule	Director Signature of Final Rule	November 9, 2023
	Director or Regional Director sign the ROD	November 9, 2023
	Target date to clear DOI	November 3, 2023
	No-later-than (NLT) date to clear DOI	November 3, 2023
	Director Surname	September 29, 2023
	AD ES Surname	September 15, 2023
	RD Surname	August 11, 2023
Two NOAs	Regional Director Signature	September 29, 2023
	Target date to clear DOI	September 29, 2023
	No-later-than (NLT) date to clear DOI	September 29, 2023
	Director Surname	September 1, 2023
	RD Surname	August 11, 2023

Below, we summarize the timeline in additional textual detail, starting from project completion to present:

- CPW must release wolves in Colorado by **December 31, 2023**.

- In order to accommodate CPW’s deadline and to account for the year-end holidays, the **Final Rule** must become effective on **December 15, 2023**.
- A December 15 effective date means that the **Final Rule** must **publish** in the *Federal Register* 30-days prior, so by **November 15, 2023**.
 - In order for the **Final Rule** to publish by November 15, we must **transmit** the Department-cleared and Director-signed **Final Rule** to the Office of the Federal Register at least three business days prior, so no later than 2 pm Friday **November 10, 2023**.
 - To meet this deadline, the **Director** must **sign** the **Final Rule** by Thursday **November 9** and no-later-than 2 pm on Friday November 10, 2023.
 - Before signing the **Final Rule**, the **Regional Director** or the **Director** must first sign the **final Record of Decision (fROD)** by Thursday **November 9, 2023**.
 - The FEIS and the draft ROD must be noticed in the *Federal Register* at least 30 days before the ROD is signed, so the NOA for the FEIS and dROD must publish no later than Friday **October 6, 2023**
- Before the Director can sign the **Final Rule** by **November 9**, it must be cleared for publication by the **Department** no later than Friday **November 3, 2023**.
 - The Department (both Fish Wildlife and Parks (FWP) and the Executive Secretary’s Office (ExecSec)) require at least two weeks for their review and approval of documents.
 - As a result, Headquarters (HQ) must transmit the **Final Rule** to the Department by Monday **October 2** and the Department must clear the **Final Rule** for publication by Friday **November 3, 2023**.
- The **Director** has two weeks to surname the **Final Rule** by Friday **September 29** before it can be transmitted to the Department for clearance to publish.
 - In order to deliver the **Final Rule** to the Director for surname by Monday **September 18**, HQ ES must review approve and surname the package by Friday **September 15**, following a four-week review period that starts on Monday **August 21, 2023**.
 - PRB has one week to surname the **Final Rule** from August 14 to August 18.
- In order to deliver the package to HQ by August 21, the **Regional Director** must surname the **Final Rule** by Friday **August 11** and the **RO ES** must surname the package by Friday **August 4, 2023**.
 - Cross-regional concurrence and Regional Solicitor (RSOL) review and surname of the **Final Rule** requires that the **Field Office** transmit the package to the **RO** by Thursday **July 13, 2023**.