

Kirts, Linda R NWW

From: Ransom, Rebecca B NWD
 Sent: Tuesday, March 31, 1998 4:34 PM
 To: Kirts, Linda R NWW
 Subject: FW: Order From The Chief - Suspend Kenewick Man Site Protection -Forwarded
 Categorized: AC

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

From: **Griffin, Robert H BG NWD**
 Sent: Tuesday, March 31, 1998 2:46 PM
 To: Bryson, Brian HQ01; Charlton, Mark C NWW; Curtis, Donald R LTC NWW; Meier, Duane Dutch NWW; Mogren, Eric T COL NWD; Mulvey, William L COL HQ02; Rubenstein, Paul D HQ01; Reinke, Cecil E NWD; Ransom, Rebecca B NWD; Johnston, Paul T NWD02
 Cc: Broaddus, John HQ01; Caver, Fred HQ01; Luisa, Pete HQ01
 Subject: RE: Order From The Chief - Suspend Kenewick Man Site Protection -Forwarded

Col Mogren,
 Per conversation, work this closely with NWW as the executing district.....if necessary I will call Will Stelle for his support as I suspect we are going to go past 15 Apr.

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

From: **Bryson, Brian HQ01**
 Sent: Tuesday, March 31, 1998 1:57 PM
 To: Charlton, Mark C NWW; Curtis, Donald R LTC NWW; Griffin, Robert H BG NWD; Meier, Duane Dutch NWW; Mogren, Eric T COL NWD; Mulvey, William L COL HQ02; Rubenstein, Paul D HQ01
 Cc: Broaddus, John HQ01; Caver, Fred HQ01; Luisa, Pete HQ01
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Using the attached e-mail as a starting point, I want to pass on further guidance I got from MG Fuhrman.

1. This part I have already covered in phone calls with Mark Charlton and BG Griffin:
 - a. See if there is any flexibility to get the fish window for in water work extended beyond 15 Apr 98. (Mark said he would see if it's possible).
 - b. Try to get a hearing with the judge to have him declare that the site protection is reasonable and necessary, so that we can say that we have complied with the pending legislation. BG Griffin said he would have his counsel look into getting this done at the regional level. I understand that Mr. Edelman is working with DOJ in DC to the same end as well.
2. New info based on my discussion at 1600 hrs with MG Fuhrman, after his meeting with the Chief this afternoon:
 - a. Re emphasized the need to get something from the judge as described above.
 - b. Try to craft a draft press release that would demonstrate that the Corps was in fact trying to comply with the wording of the pending legislation, in that we are attempting to get the court's agreement with our actions, and that we are in fact trying to preserve the site for further scientific investigation, and protect it from adverse impacts of high water this spring. MG Fuhrman sees this as being cover for Hastings and Gorton, so that if we are able to get the work going again soon, we can show that we reacted to the language. I ask that district PAO work with NWD and HQ PAO to draft such a press release.
 - c. Paul Rubenstein should be ready to provide an affidavit to Mr. Edelman that says all the good reasons why the site needs to be protected, and all the coordination that has gone into the process.

Brian << File: ENCLOSURE >>

5-332