

To: Schnare, David[schnare.david@epa.gov]
From: Peter Robertson
Sent: Thur 2/23/2017 6:25:48 PM
Subject: Things you asked for.

David,

Thanks again for taking the time yesterday. If you have questions after speaking with Region 10, I would really appreciate the opportunity to respond to them.

Here are some of the things I promised to forward to you. First, I hope you got my email last night with the partial transcript of Lisa Murkowski's statements about both Pebble and your boss. If you didn't let me know and I'll resend.

I promised a link to the House Science Committee letter. Here is the link to their press release, <https://science.house.gov/news/press-releases/smith-recommends-administrator-pruitt-rescind-pebble-mine-decision>, and here is the link to the letter. <https://science.house.gov/sites/republicans.science.house.gov/files/documents/02.22.17%20SS>

Here's the link to EPA's web page on Pebble. www.epa.gov/bristolbay It has the links to the Bristol Bay Watershed Assessment and some other docs. Here is the link to the EPA web page with a chronology of all of EPA's 404 vetoes. <https://www.epa.gov/cwa-404/chronology-404c-actions> Number 7 (Henry Rem et al, in Dade County Florida) is the one that the Agency points to as having done a 404 preemptive veto before. Again, a totally inapt comparison.

Here is the 1992 MOU between the Corps and the EPA.
https://www.epa.gov/sites/production/files/2015-06/documents/1992_moa_404q.pdf

You also asked for information about tribes (and other local entities) that support due process for Pebble. Here is a link to a page on our website that lists 29 different tribes, municipal organizations and other entities that are on record favoring due process for Pebble. <https://corporate.pebblepartnership.com/about> Many of these expressions are 7 or 8 years old, but they still represent the views of those entities.

We are going to try to get a letter from the delegation; I will also have later in the day some other documents related to the State's expressions of support for due process.

As always, let me know if you have any questions.

Peter

Pebble Partnership: About Pebble

I wanted to get

www.epa.gov

Chronology of 404(c) Actions | Section 404 of the Clean

Smith Recommends Administrator Pruitt Rescind
Pebble Mine Decision

To: Schnare, David[schnare.david@epa.gov]
From: Peter Robertson
Sent: Thur 2/16/2017 8:15:46 PM
Subject: Re: Pebble

See you then. Thanks.

Peter

From: Schnare, David <schnare.david@epa.gov>
Sent: Thursday, February 16, 2017 2:35:16 PM
To: Peter Robertson
Subject: RE: Pebble

Wed, the 22nd, 5pm.

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From: Peter Robertson [mailto:peterrobertson@pebblepartnership.com]
Sent: Thursday, February 16, 2017 2:19 PM
To: Schnare, David <schnare.david@epa.gov>
Subject: Re: Pebble

David,

How about Wednesday afternoon at 5:00 or as late as you want. If Wednesday doesn't work, I could also do Friday afternoon, anytime you want.

Thanks.

Peter

From: Schnare, David <schnare.david@epa.gov>
Sent: Thursday, February 16, 2017 7:50:44 AM
To: Peter Robertson
Subject: RE: Pebble

Peter:

My calendar for next week is relatively open, although with the new Administrator coming in, and a heavy briefing schedule for him in the wings, it could get messy rather quickly. Late afternoon is often the best time (after 5). Let me know what day you want and I'll hold that time.

I am aware of the problem in general but do not have specifics. Can you bring with you a timeline of events and a status on the legal actions? The preemptive strike by the last administration was indeed unprecedented and I don't want to see it become a precedent, particularly because it is a violation of Pebble's due process rights.

In any case, I need to get this set up for the Administrator, which means I need the full background and a specific proposal on what we can and should do. Without meaning to be flip, that's your homework assignment.

Best,

David Schnare

From: Peter Robertson [<mailto:peterrobertson@pebblepartnership.com>]
Sent: Wednesday, February 15, 2017 4:37 PM
To: Schnare, David <schnare.david@epa.gov>
Subject: Pebble

David,

Thanks for chatting with me briefly. I'm the Senior Vice President for Corporate Affairs for the Pebble Partnership. As you may know, Pebble is trying to develop a world-class copper mine in southwestern Alaska. We have yet to submit the first of the permit applications necessary to move ahead with the mine -- the permit application under section 404 of the Clean Water Act.

EPA, through Region 10, has moved to block our efforts to develop the mine by putting forward a preemptive veto of the mine -- before we submit our permit application -- under Clean Water Act section 404(c). This action is unprecedented and fundamentally unfair. There is no environmental harm that comes from allowing us to submit our permit application, because the Corps of Engineers (which reviews these permit applications) may say no, and even if the Corps says yes, the Agency retains the ability to veto the permit. We are only looking for the same due process that 60,000 other permit applicants get each year.

There is a significantly long history of this matter (including our ongoing litigation against the Agency), and I would appreciate the opportunity to discuss it with you and seek your guidance and assistance on our efforts to work through these issues with the Agency.

Do you have time for me to meet with you in the near future?

Sincerely,

Peter Robertson

Peter D. Robertson

Senior Vice President for Corporate Affairs

The Pebble Partnership

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