From: Phil_Brna@fws.gov
To: Phil North
Subject: Fw: 404(c)
Date: 10/19/2010 02:34 PM

---

are you around? when you are give me a call please

Phil Brna
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phone: (907) 271-2440
fax: (907) 271-2786
email: phil_brna@fws.gov
----- Forwarded by Phil Brna/R7/FWS/DOI on 10/19/2010 01:30 PM -----

Frances Mann/R7/FWS/DOI 10/19/2010 01:26 PM
To Phil Brna/R7/FWS/DOI@FWS, north.phil@epa.gov
cc
Subject Re: Fw: 404(c)

About the NPS...the only thing to say is that we are not alone in our protocol weirdness. It seems odd to me that Geoff is supposed to invite the NPS. It seems to me that the EPA should invite them (sorry Phil - like you need more work to do). BUT...it really isn't Geoff's briefing nor the FWS's briefing.

I guess my final thought on time is that if we have a hard time getting these folks together for 2 hours, then go for 1.

f

Frances Mann
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frances_mann@fws.gov
Phil Brna/R7/FWS/DOI

Phil Brna/R7/FWS/DOI 10/19/2010 10:33 AM
To Frances_Mann@fws.gov
cc north.phil@epa.gov
Subject Re: Fw: 404(c)

Excellent! I have several calls in to Phil to confirm Dec 10th and to ask more specifics. I spoke with Bud Rice and he said Sue Masica is available but maybe not others. I told him that Sue is the one that needs to be there and if others come that is up to her. I do not want to reschedule for others. Bud also said he is getting pushback from one of the deputies about why NPS would need to be involved. He also said that Sue will need a written invitation from Geoff along with a purpose statement and agenda. After expressing my amazement I told him I'd work on that.

Phil is Dec 10th from 101-2 going to work?

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Frances Mann/R7/FWS/DOI

Frances Mann/R7/FWS/DOI 10/19/2010 10:06 AM
To Phil Brna/R7/FWS/DOI@FWS
cc
Subject Fw: 404(c)

Steve and Jenifer -

Phil and I completely agree that what is needed is a concise briefing that allows time for meaningful discussion. However...there are some unknowns here that we are trying to accommodate. The rationale for a 2-hour time block is that we want to ensure that there is time for adequate discussion without the fear that someone else needs the room, or that one or more of the RDs have to leave because of a scheduling conflict. We are happy to shoot for 1 hour, but here are a few details to consider:

- The briefing will be given by EPA, not the Service. We have already given our briefing to Geoff, he said he was convinced, and directed us to set up the formal briefing with the RDs of the EPA and the NPS (a side note is that he also asked us to set up a second briefing with the Alaska Native delegation that are petitioning EPA to undertake the 404c).
- The EPA briefing does not focus on the mine and how bad it is. Rather - it focuses on the uniqueness and global importance of the Bristol Bay watershed, particularly the importance of salmon to the economy, the people, etc. It also provides info about other non-salmon resources in the area. The briefing describes the EPA criteria for taking the 404(c) action. Pebble and other mines are mentioned as significant threats to the area, but the presentation does not go into detail about the adverse impacts of mining.
- The briefing would be essentially the same one that has been given to the EPAs Regional Administrator in Seattle, as well as the Deputy Administrator (in Wash DC). According to Phil North, those briefings/discussions took about 1.5 hours. The rationale behind the 2- hour time block is that we don't know what sorts of questions and may need to occur between the 3 RDs (Sue Masica, Marcia Coombs, and Geoff), but it seems better to be safe and allow for more time rather than less. The EPA will be looking for a definitive statement of support from Geoff and Sue as to the merits of the 404(c) action. This is their time to tells a convincing story about why 404(c) action would be appropriate. I think that this is exactly the type of information that Geoff (and the NPS) will need when asked by Rowan, Tom Strickland, the public, and others about "why are you in support of the EPA's action?"

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----- Forwarded by Frances Mann/R7/FWS/DOI on 10/19/2010 09:17 AM -----

Steve Klosiewski/R7/FWS/DOI
10/18/2010 04:43 PM

To Jenifer Kohout/R7/FWS/DOI@FWS, Phil Brna/R7/FWS/DOI@FWS
cc Frances Mann/R7/FWS/DOI@FWS
Subject Re: 404(c)

We need a short concise briefing that allows time for meaningful discussion. No need to talk about how bad the mine would be because everyone understands this. We need to focus on FWS role and authorities and what EPA wants from us. We should know this before the meeting and discuss beforehand.

Steve K
Steve Klosiewski
Deputy Assistant Regional Director, Fisheries and Ecological Services
US Fish and Wildlife Service
1011 E Tudor Rd
Anchorage, AK 99507

907 786-3523

Jenifer Kohout

----- Original Message -----
From: Jenifer Kohout
Sent: 10/18/2010 01:38 PM MDT
To: Phil Brna; Steve Klosiewski
Cc: Frances Mann
Subject: Re: 404(c)

I had a similar response to Steve. Seems like it would be better to have a tight 1 hour briefing. I don't envision that the RDs will need a ton of details.

Phil Brna

----- Original Message -----
From: Phil Brna
Sent: 10/18/2010 10:26 AM YDT
To: Steve Klosiewski
Cc: LaVerne Smith; Jenifer Kohout; Frances Mann
Subject: Re: 404(c)

I spoke with Phil North at EPA and he suggested 1.5 to 2 hours depending on how many questions and how much discussion there might be.

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Steve Klosiewski/R7/FWS/DOI

Steve Klosiewski/R7/FWS/DOI
10/18/2010 10:08 AM

To LaVerne Smith/R7/FWS/DOI@FWS, "Phil Brna" <Phil_Brna@fws.gov>
cc
Subject Re: 404(c)

2hrs is a big block of time. Did EPA request 2hrs?

Steve K
Steve Klosiewski
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907 786-3523

LaVerne Smith

----- Original Message -----
From: LaVerne Smith
Sent: 10/16/2010 11:12 AM MDT
To: Steve Klosiewski
Subject: Fw: 404(c)

E. LaVerne Smith
Deputy Regional Director
Alaska Region
U.S. Fish and Wildlife Service
1011 E. Tudor Road
Anchorage, Alaska. 99503
907-786-3493

Phil Brna

----- Original Message -----
From: Phil Brna
Sent: 10/15/2010 01:38 PM YDT
To: Frances Mann; Jenifer Kohout
Cc: LaVerne Smith; Stephanie McFadden
Subject: Fw: 404(c)

Here is a bit more information (see the forwarded attachments) regarding tribes and businesses from Bristol Bay who petitioned EPA for a 404(c) action. I am copying Laverne as well in case she is interested. I was not aware of these until now but they are all relatively recent. Note that the Tiffanny Company letter went to the President with a copy to the Secretary and Director. Since this is recent, the "issue" may be working its way down through the system.

I called Stephanie to try to reserve a 2 hour block either the week of Dec 6 or 13. I think Geoff and Laverne are really the only ones who need to be present but if others can make it that would be good. EPA is tentatively OK with those weeks. As soon as I get a date I will confirm with EPA and NPS. When I speak with Stephanie I'll try to find 1-2 hours in the next few weeks that Geoff and Laverne have open to meet with tribal representatives. I am copying Stephanie as well.

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----- Forwarded by Phil Brna/R7/FWS/DOI on 10/15/2010 01:15 PM -----

"Shoren Brown" <SBrown@tu.org> To<Phil_Brna@fws.gov>
cc
10/15/2010 12:43 PM SubjectRE: 404(c)

Peter Van Tuyn is working for BBNC on this. I'll put a solid group together for you and let you know Monday. I'm also attaching all the resolutions and letters that have been sent to EPA so far - I assume Phil shared these but just in case.

From: Phil_Brna@fws.gov [mailto:Phil_Brna@fws.gov]
Sent: Friday, October 15, 2010 1:29 PM
To: Shoren Brown
Subject: RE: 404(c)

ok. It does not have to be a big group. I think we will stand up and support EPA and he just wants to hear from some of the local people who are asking for this. He also will let the Director in DC know about this. Who is the lawyer?

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email: phil_brna@fws.gov
" height="16">"Shoren Brown" <SBrown@tu.org>

"Shoren Brown" <SBrown@tu.org> To<Phil_Brna@fws.gov>
cc
10/15/2010 11:59 AM SubjectRE: 404(c)

It really depends on who is available. Off the top of my head I'm thinking a few tribal leaders and a delegation from BBNC including their lawyer who is very talented and gets the details on 404c. Before I start speaking for folks let me put some feelers out and check on availability. Sound good?

From: Phil_Brna@fws.gov [mailto:Phil_Brna@fws.gov]
Sent: Friday, October 15, 2010 12:36 PM
To: Shoren Brown
Subject: RE: 404(c)

Shoren, I am getting some dates for you. Can you give me some names and who they are with?

Phil Brna
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" height="16">"Shoren Brown" <SBrown@tu.org>

"Shoren Brown" <SBrown@tu.org>
10/15/2010 11:25 AM

To<Phil_Brna@fws.gov>
cc<north.phil@epa.gov>, <ttroll@tnc.org>
SubjectRE: 404(c)

Phil -

No problem at all. I'll put the word out to tribal leaders and BBNC. Is there a week that I should shoot for specifically? I only ask because it will likely require that people fly from Bristol Bay to Anchorage.

Tim - I'll shoot you a line on this today.

Best -

SB

From: Phil_Brna@fws.gov [mailto:Phil_Brna@fws.gov]
Sent: Friday, October 15, 2010 11:42 AM
To: Shoren Brown
Cc: north.phil@epa.gov; ttroll@tnc.org
Subject: 404(c)

I briefed Geoff Haskett, the USFWS Alaska Regional Director yesterday about the potential 404(c) action in Bristol Bay. Geoff would like to meet with the Alaska Native delegation who are asking EPA to pursue this. Can you help me set that up?

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[attachment "AIFMA Letter to EPA.pdf" deleted by Steve Klosiewski/R7/FWS/DOI]
[attachment "BBNA 404c.pdf" deleted by Steve Klosiewski/R7/FWS/DOI]
[attachment "BBNC EPA 404c 081210 FINAL signed.pdf" deleted by Steve Klosiewski/R7/FWS/DOI]
[attachment "BBRSDA Signed Letter EPA 062010.pdf" deleted by Steve Klosiewski/R7/FWS/DOI]
[attachment "Six Tribes' Joint Letter to EPA requesting 404(c) process.pdf" deleted by Steve Klosiewski/R7/FWS/DOI]
[attachment "Tiffany.Pebble.letter.pdf" deleted by Steve Klosiewski/R7/FWS/DOI]