



Call Memo - XXX

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APPROVED BY: [Insert consulted department heads. If other stakeholders have been consulted, but have not approved, please note that in the text of the memo.]

CALL SHEET

October 20, 2021

MEMORANDUM FOR THE ADMINISTRATOR

FROM: Rosemary Enobakhare, OPEEE, 202-573-4614

CC: John Lucey

CONTACT: Gwendolyn Sontheim Meyer

EVENT DATE: Thursday, October 21, 2021

TIME: 11:00-11:30AM

SUBJECT: Check-in In-Person Meeting

STAFFING: Rosemary Enobakhare, 202-573-4614

PURPOSE OF CALL AND LAST INTERACTION

YOU will meet in-person with Gwendolyn Sontheim Meyer, environmental advocate, as a follow up conversation you had prior to EPA's actions on September 9, 2021 on Bristol Bay, Alaska.

KEY POINTS SECTION

- **YOU** were grateful for your previous conversation with Gwendolyn back in September.
- Gwendolyn has been a leader in environmental protection for years and **YOU** are eager to find other areas of partnership.

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BACKGROUND

Gwendolyn Sontheim Meyer first reached out to staff to connect with you in mid-August to express her concerns on Bristol Bay and pending actions at the agency. She was heartened to hear from you prior to the decision on which direction the Agency would be going. Gwendolyn is excited for your tenure as Administrator and is eager to identify ways in which she can be helpful to your priorities.

Before this October meeting with **YOU**, Gwendolyn will see Senator Murkowski, at which time she is also expected to discuss Bristol Bay protections both via the Clean Water Act and potentially through legislation. Later, she has a call with Senator Cantwell on the same issues.

YOU can expect Gwendolyn to reiterate her work with and support of the Tribes in the region and their efforts to protect Bristol Bay and create a sustainable economic and ecologic future for the region.

Bristol Bay supports the world's largest sockeye salmon run and the watershed is relied upon by many Native tribes. On September 9, **YOU** announced that the agency would be asking the 9th Circuit to vacate the 2019 action which withdrew the CWA 404(c) determination. If granted, the Agency would "automatically reinitiate" the review process, through which mine-related activities could be restricted or prohibited.

Pebble and the State of Alaska did not argue against remand or vacatur but are requesting that the court establish a schedule for EPA's proceedings after remand and for the court to retain jurisdiction. EPA's reply opposes those requests. Our DOJ attorney's best guess is the judge is "likely to rule within the next couple of weeks."

SUGGESTED TALKING POINTS

- Thank you for taking the time to connect today—I really enjoyed our last conversation and am looking forward to working with you.
- We were thrilled to land where we did on clarifying the Agency's Clean Water Act veto authority.

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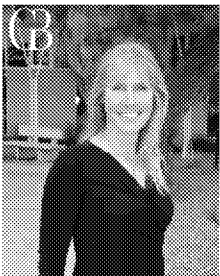
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- I have not been lucky enough to visit Bristol Bay myself quite yet, but after a few conversations with both Senators Murkowski and Sullivan I am looking forward to seeing it myself.
- We have areas all across this country that are under threat like Bristol Bay and it's important that EPA use all of the tools at its disposal in order to protect them.
- We're confident that the 9th circuit will agree with our determination and will continue to work with our career staff to move as quickly as possible.
- I recognize that this issue has ping ponged between Administrations for too long.
- I am driving to ensure that not only do we have a final determination by the end of my tenure, but that there is enough time for us to defend it.
- All options are on the table – both myself and our AA for the Office of Water, Radhika Fox, remain engaged with Congress to see if there are potential legislative solutions available.
- I'm eager to keep this conversation going and working with you on this and other priorities.

On recent Court filings:

- On October 19th, the Department of Justice filed a reply brief in support of its previous September 9th filing to request that the Alaska District Court grant its motion for remand with vacatur. DOJ's reply brief opposes filings by the State and the mine company that the court establish a schedule for EPA to act following remand. EPA awaits the judge's ruling.

BIOGRAPHIES



Gwendolyn Sontheim Meyer

Gwendolyn is the great-great-granddaughter of William W. Cargill, founder of Cargill, the largest privately held corporation in the United States and one of the world's top producers and distributors of agricultural products where she serves on a managing board of the company. She is also a Director of the Aqualia International Foundation,

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an international philanthropic family concern devoted to human dignity, social justice, child welfare, environmental protection and the well-being of animals.

On a local level, Gwendolyn is also the founder and current Board Chair of Feeding San Diego – the largest hunger relief and food rescue organization serving the San Diego area for the past 14 years and member of Feeding America. The organization to date, has provided over 240 million meals to those in need since inception and continues to increase.

On a national level, she is honored to work with Native Tribes and communities around economic development and conservation initiatives. She has prioritized this work by getting involved in the Bristol Bay Region of Alaska. She continues to work with a variety of individuals, tribes, and organizations on-the-ground to support the fight against the Pebble Mine. In addition, she has been extremely involved with a tribal community in the region to support economic development initiatives.

On a national level, she is particularly proud of her continuing years supporting the ACLU and had the distinct honor to serve as a co-chair of the ACLU's Centennial Campaign. She also continues to be a major supporter woman's rights, the hunger relief movement nationally, as well as a number of innovative economic development, immigration, educational and environmental initiatives.

Gwendolyn first and foremost loves being a mom and cherishes what family has meant to her. She is also passionate about her personal pursuits as well as the effectiveness, sustainability and accountability of the causes she supports. She believes in the dignity of those most vulnerable and our duty to assist.

Gwendolyn has led an adventurous life from growing up in a small village in Switzerland, to being the only girl in an all-boys boarding school, to striking out on her own in the US, to extensive equestrian pursuits, to training with a Blue Angel instructor in flight aerobatics. She holds dearly the notion of significant possibilities if we accept our responsibilities, connect with others to amplify our passions, and work aggressively and effectively towards proper, balanced and lofty aims.

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