



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
108 ARMY PENTAGON
WASHINGTON DC 20310-0108

OCT 24 2019

Mr. Matthew Z. Leopold
General Counsel
U.S. Environmental Protection Agency
Washington, DC 20460

Dear Mr. Leopold:

I have reviewed your October 22, 2019 letter regarding the Pebble Limited Partnership (PLP) application for a permit (POA-2017-00271) under Section 404 of the Clean Water Act (CWA). You are requesting another time extension for the Environmental Protection Agency (EPA) to make a determination under Part IV paragraph 3(b) of the 1992 Memorandum of Agreement (MOA) between the Army and EPA implementing Section 404 (q) of the CWA.

In response to your July 26, 2019 letter regarding this permit application, I authorized a ninety (90) calendar day extension to allow the U.S. Army Corps of Engineers (Corps), Alaska District, EPA and other cooperating agencies to resolve outstanding comments on the application. The extension was granted in part due to the overall complexity of the project and number of comments received during the public notice and comment process.

Since that time, the Corps has continued to work with EPA and other stakeholders on this project. In the coming weeks, I understand there will be a series of technical meetings between the Corps, EPA and other cooperating agencies to resolve outstanding comments. Those meetings will allow the Corps to complete a preliminary final environmental impact statement and other related documents. The Corps will also open a 30-45 day cooperating agency review period currently anticipated to conclude mid-February 2020. I believe this significant open and transparent review period will afford EPA the opportunity to make any further and necessary determinations regarding the project under the above-referenced MOA. Accordingly, I am authorizing a second extension until February 28, 2020. During this additional extension period, I encourage EPA and the Corps to resolve all remaining issues.

As always, I appreciate EPA's continued involvement and evident willingness to engage meaningfully with the Army in reviewing this significant project.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. James".

R.D. James
Assistant Secretary of the Army
(Civil Works)