

## Schary, Claire

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**From:** Rose, Bob  
**Sent:** Friday, April 05, 2013 10:01 AM  
**To:** Schary, Claire  
**Subject:** R-10 trading project emails up to March 25  
**Attachments:** NRCS CIG 2-29-12\_Final.pdf; USEPA\_SupportLetter\_Signed.pdf; JRA 2-Pager\_2013 01 12.pdf; JRA Convening Questions\_EPA.doc; JRA Tier 1 Discussion Draft\_Full.docx; JRA 2-Pager\_2013 01 121.pdf

I may send one more email. This email contains multiple emails below.

Bob

Robert J. Rose  
US EPA, Office of Water  
Policy Office  
1200 Pennsylvania Avenue, N.W.  
Mail Code 4101M  
Washington, DC 20460  
Email: [rose.bob@epa.gov](mailto:rose.bob@epa.gov)  
Ph: 202-564-0322  
FAX: 202-564-0500

-----Forwarded by Bob Rose/DC/USEPA/US on 04/05/2013 12:57PM -----

To: Christine Psyk/R10/USEPA/US@EPA, Susan Poulosom/R10/USEPA/US@EPA, Dru Keenan/R10/USEPA/US@EPA, Chae Park/R10/USEPA/US@EPA, Dustan Bott/R10/USEPA/US@EPA, WilliamC Stewart/R10/USEPA/US@EPA, Bob Rose/DC/USEPA/US@EPA  
From: Claire Schary/R10/USEPA/US  
Date: 01/18/2013 12:20PM  
Subject: Fw: Joint Regional Agreement Workshop dates

I wanted to share the dates of the four interagency workshops so that you will have them on your calendar, with the caveat that probably only one or two of us would likely go to ones that aren't in the Seattle area and the rest of us might be participating in parts of the meetings via phone depending on the topics that are scheduled.

Thanks again for participating in yesterday's meeting - I thought it went very well for a first meeting, and I think the future ones will be even more interesting as we hear other perspectives from the states and with lively discussions as we get further into the details. I'm very excited about this project!

-- Claire

Claire Schary  
Water Quality Trading Coordinator  
Office of Water & Watersheds | U.S. Environmental Protection Agency | Region 10  
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----- Forwarded by Claire Schary/R10/USEPA/US on 01/18/2013 09:16 AM -----

From: Bobby Cochran <[cochran@willamettepartnership.org](mailto:cochran@willamettepartnership.org)>  
To: Claire Schary/R10/USEPA/US@EPA, Ranei Nomura <[NOMURA.Ranei@deg.state.or.us](mailto:NOMURA.Ranei@deg.state.or.us)>, FOSTER Eugene P <[FOSTER.Eugene@deg.state.or.us](mailto:FOSTER.Eugene@deg.state.or.us)>, Helen Bresler <[HBRE461@ECY.WA.GOV](mailto:HBRE461@ECY.WA.GOV)>, "Melissa Gildersleeve (ECY)" <[MGIL461@ECY.WA.GOV](mailto:MGIL461@ECY.WA.GOV)>, [marti.bridges@deg.idaho.gov](mailto:marti.bridges@deg.idaho.gov),

[Michael.Mcintyre@deg.idaho.gov](mailto:Michael.Mcintyre@deg.idaho.gov), Darcy Sharp <[Darcy.Sharp@deg.idaho.gov](mailto:Darcy.Sharp@deg.idaho.gov)>, [Mark.Shumar@deg.idaho.gov](mailto:Mark.Shumar@deg.idaho.gov), Tim Wigington <[Tim@thefreshwatertrust.org](mailto:Tim@thefreshwatertrust.org)>, Karin Power <[Karin@thefreshwatertrust.org](mailto:Karin@thefreshwatertrust.org)>, Neil Mullane <[nmullane@msn.com](mailto:nmullane@msn.com)>, Joe Furia <[Furia@thefreshwatertrust.org](mailto:Furia@thefreshwatertrust.org)>, Todd Gartner <[TGartner@wri.org](mailto:TGartner@wri.org)>, David Primozich <[primozich@thefreshwatertrust.org](mailto:primozich@thefreshwatertrust.org)>,

Date: 01/18/2013 09:05 AM

Subject: Joint Regional Agreement Workshop dates

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Hi everyone,

We've had a great set of meetings with Oregon, Washington, and EPA over the last two days and are excited to get out to Idaho here soon. Thank you all for your time! We'll get a list of action items out here shortly. This email is for you to hold dates for the 4 interagency workshops for the project.

Please hold the following dates for the interagency workshops.

April 9-10

June 5-6

August 20-21

October 16-17

Each workshop will be 2 days, scheduled ~10-5 on Day 1 and 8-3 on day 2 to accommodate those who anticipate same-day travel. The location of the first workshop will most likely be in Hood Canal, WA at the Harmony Hill Retreat Center. The city and specific location of the others will be identified shortly, but if there are constraining factors that should be considered as I do this, please let us know.

We will also have rough agendas for each workshop, so we know when we might bring other agency staff in for a particular topic. Please let us know if we need to forward this on to anyone else, and while Carrie is on a much-deserved vacation this week, please email me with any questions. Thanks!

Bobby

-----Forwarded by Bob Rose/DC/USEPA/US on 04/05/2013 12:57PM -----

To: Bob Rose/DC/USEPA/US@EPA

From: Claire Schary/R10/USEPA/US

Date: 01/18/2013 12:20PM

Subject: Re: Is the call in for Willamette grant meeting correct? I'm getting a message that the code is invalid

Bob - thank you for hanging in there. I hope you found the call worthwhile, and as I said on the phone, we welcome your participation whenever you're able to and if you're interested. I'll at least keep you on the mailing list for meeting dates and documents. The time difference will always be a problem, but not much we can do about that. And our weather gets better and better as we head towards the summer so you would probably enjoy a trip out here if your travel budget allows it. Ours, on the other hand, is already spent through March's allocation. I was telling Bobby Cochran that I don't think I've even seen you in person for at least 10 years and I haven't been to DC in 6 years. As a result, he and David Primozich are more current on the players and programs than I am.

- Claire

Claire Schary

Water Quality Trading Coordinator

Office of Water & Watersheds | U.S. Environmental Protection Agency | Region 10

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-----Forwarded by Bob Rose/DC/USEPA/US on 04/05/2013 12:57PM -----

To: Christine Psyk/R10/USEPA/US@EPA, Susan Poulson/R10/USEPA/US@EPA, Dru Keenan/R10/USEPA/US@EPA, WilliamC Stewart/R10/USEPA/US@EPA, Chae Park/R10/USEPA/US@EPA, Dustan Bott/R10/USEPA/US@EPA, Bob Rose/DC/USEPA/US@EPA  
From: Claire Schary/R10/USEPA/US  
Date: 01/18/2013 12:20PM  
Subject: Fw: copy of final grant proposal

Hi,

Attached to the forwarded message below are copies of the final grant proposal on this joint regional approach to water quality trading, EPA Region 10's letter of support, and a draft 2-pager summarizing the project. I recommend looking at the grant proposal, starting on page 5, for the most detailed description of what the project is intending to accomplish. EPA's specific role is not described but hopefully the details will provide some clarity to those who are unclear about what we signed up for.

Talk to you on Thursday!

Claire Schary  
Water Quality Trading Coordinator  
Office of Water & Watersheds | U.S. Environmental Protection Agency | Region 10  
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----- Forwarded by Claire Schary/R10/USEPA/US on 01/16/2013 09:24 AM -----

From: Carrie Sanneman <[sanneman@willamettepartnership.org](mailto:sanneman@willamettepartnership.org)>  
To: Claire Schary/R10/USEPA/US@EPA,  
Date: 01/15/2013 05:53 PM  
Subject: Re: copy of final grant proposal

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Hi Claire,

No problem. I've attached the original proposal and a draft project brief that we put together last week. Hopefully this helps, and the group can answer questions during the interview of course. Let me know if there's anything else that I can provide.

Best,  
Carrie

On Tue, Jan 15, 2013 at 5:23 PM, <[Schary.Claire@epamail.epa.gov](mailto:Schary.Claire@epamail.epa.gov)> wrote:  
Carrie,

(I just sent a similar message that cc'd Bobby and Neil but unfortunately used an old CWS email address for you so yours bounced back.) I am hoping you can send me an electronic copy of the final grant proposal that was submitted - I never got one and now Christine Psyk and others said they would like to see it to better understand what is expected from EPA for this project. Hopefully you can do this before the Jan. 17 meeting to help us better prepare.

Thanks!  
-- Claire

Claire Schary  
Water Quality Trading Coordinator  
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Carrie Sanneman  
Willamette Partnership  
Ecosystem Services Project Manager  
o: 503-894-8426(See attached file: *NRCS CIG 2-29-12\_Final.pdf*)(See attached file: *USEPA\_SupportLetter\_Signed.pdf*)(See attached file: *JRA 2-Page\_2013 01 12.pdf*)

-----Forwarded by Bob Rose/DC/USEPA/US on 04/05/2013 12:57PM -----

To: Carrie Sanneman &lt;[sanneman@willamettepartnership.org](mailto:sanneman@willamettepartnership.org)>, &lt;[cochran@willamettepartnership.org](mailto:cochran@willamettepartnership.org)>, Joe Furia &lt;[Furia@thefreshwatertrust.org](mailto:Furia@thefreshwatertrust.org)>, Karin Power &lt;[Karin@thefreshwatertrust.org](mailto:Karin@thefreshwatertrust.org)>, Neil Mullane &lt;[nmullane@msn.com](mailto:nmullane@msn.com)>, Todd Gartner &lt;[tgartner@wri.org](mailto:tgartner@wri.org)>, Tim Wigington &lt;[Tim@thefreshwatertrust.org](mailto:Tim@thefreshwatertrust.org)>  
From: Claire Schary/R10/USEPA/US  
Date: 01/18/2013 12:20PM  
Cc: Christine Psyk/R10/USEPA/US@EPA, Dru Keenan/R10/USEPA/US@EPA, Dustan Bott/R10/USEPA/US@EPA, Chae Park/R10/USEPA/US@EPA, Susan Poulson/R10/USEPA/US@EPA, WilliamC Stewart/R10/USEPA/US@EPA, Bob Rose/DC/USEPA/US@EPA  
Subject: Re: EPA Convening Interview Agenda and Materials

Bobby & et al,

Thanks for sending out the materials in advance. I need to warn you, however, that the draft legal authorities document makes us very uncomfortable because of its detailed analysis about the authority for trading under the Clean Water Act. EPA has already done its own analysis that led to the establishment of the 2003 Water Quality Trading Policy and subsequent guidance materials. We cannot sign on to anyone else's analysis as part of this project. Also, given the outstanding lawsuit on water quality trading in the Chesapeake Bay, Region 10 would defer to EPA HQ and its Office of General Counsel on any comments on this draft, and that could be a more cumbersome and challenging process than you might want. I had thought this phase of the project would start with the policies and guidance EPA has already issued and instead concentrate on the state and local policies, especially those concerning nonpoint source reductions. Therefore, on Thursday be prepared to discuss why you think the approach you've taken is necessary and we can explore alternative strategies to meet the intended outcome you have in mind.

As for the list of questions, I may not be able to organize a meeting of my team beforehand to see which questions we can answer, and with some consensus (the questions are quite challenging in their scope and number!). We'll count on your team to determine which are the most important ones to hear from us on, and to make sure we get through enough in the three hours we have to meet.

-- Claire

Claire Schary  
Water Quality Trading Coordinator

-----Forwarded by Bob Rose/DC/USEPA/US on 04/05/2013 12:57PM -----

To: Bob Rose/DC/USEPA/US@EPA  
From: Claire Schary/R10/USEPA/US  
Date: 01/18/2013 12:20PM  
Subject: Fw: EPA Convening Interview Agenda and Materials

Bob,

The message below pertains to the Jan. 17 meeting I invited you to participate in. I will make sure they add you to the mailing list of materials, now that I know you are able to participate on this first call.

Exemption 5: Deliberative  
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FYI, Joe Furia and Karin Power are both attorneys. Neil Mullane used to work for Oregon DEQ and then retired to do work with Willamette Partnership.

-- Claire

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----- Forwarded by Claire Schary/R10/USEPA/US on 01/10/2013 11:16 AM -----

From: Carrie Sanneman <[sanneman@willamettepartnership.org](mailto:sanneman@willamettepartnership.org)>  
To: Claire Schary/R10/USEPA/US@EPA, Christine Psyk/R10/USEPA/US@EPA, Susan Poulosom/R10/USEPA/US@EPA, Dru Keenan/R10/USEPA/US@EPA, Chae Park/R10/USEPA/US@EPA, Dustan Bott/R10/USEPA/US@EPA, WilliamC Stewart/R10/USEPA/US@EPA,  
Cc: Bobby Cochran <[cochran@willamettepartnership.org](mailto:cochran@willamettepartnership.org)>, Neil Mullane <[nmullane@msn.com](mailto:nmullane@msn.com)>, Joe Furia <[Furia@thefreshwatertrust.org](mailto:Furia@thefreshwatertrust.org)>, Tim Wigington <[Tim@thefreshwatertrust.org](mailto:Tim@thefreshwatertrust.org)>, Karin Power <[Karin@thefreshwatertrust.org](mailto:Karin@thefreshwatertrust.org)>, Todd Gartner <[tgartner@wri.org](mailto:tgartner@wri.org)>  
Date: 01/09/2013 03:57 PM  
Subject: EPA Convening Interview Agenda and Materials

Hi All,

We're very much looking forward to the Convening Interview next week (Thurs 1/17, 1-4PM) for the Joint Regional Agreement on Water Quality Trading. Neil Mullane will be helping us lead the meeting, Bobby Cochran will be representing Willamette Partnership, and Joe Furia, Karin Power and Tim Wigington will be representing The Freshwater Trust.

We'll start with introductions and a quick background on the project and then dive into the Convening Interview Agenda Questions, which are attached. Please spend some time over the next week walking through these, jotting down your thoughts, and consulting with others internally as appropriate. We're flexible on the order in which we tackle these, so if you have suggestions or if certain folks will only be able to make part of the

interview, please let us know and we can adjust the order accordingly.

I've also attached a discussion/strawman draft of the legal authorities for trading (also called Tier 1). There is a cover page in the document to provide context and some questions to be considering as you review. We'll discuss the draft in the interview session, but we would also like written comments. Please follow up with me with any questions.

Best,  
Carrie

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Carrie Sanneman  
Willamette Partnership  
Ecosystem Services Project Manager  
o: [503-894-8426](tel:503-894-8426) (See attached file: *JRA Convening Questions\_EPA.doc*) (See attached file: *JRA Tier 1 Discussion Draft\_Full.docx*)

-----Forwarded by Bob Rose/DC/USEPA/US on 04/05/2013 12:57PM -----

To: Chris Lewicki/DC/USEPA/US@EPA, Amelia Letnes/DC/USEPA/US@EPA  
From: Claire Schary/R10/USEPA/US  
Date: 01/18/2013 12:20PM  
Cc: Bob Rose/DC/USEPA/US@EPA  
Subject: R10 involved in regional water quality trading project

Chris & Amelia,

I thought should make sure you are aware of Region 10's participation in the CIG-funded project called the "Joint Regional Agreement on Water Quality Trading." I mentioned it on a 303(d) Coordinators call today (which I listened to as part of my education process since I moved to the TMDL unit), and they asked if Chris knew of it. I've been communicating with Bob Rose about this, but I shouldn't assume that you are kept in the loop on everything. Come to think of it, I may have already told you about this when we were preparing a letter of support as part of the application process last spring. If that is the case, consider this an update.

NRCS finally awarded the grant in August, and this was one of two large awards - the other was the Ohio River Basin - and a few other smaller ones. The project is led by The Willamette Partnership, and the \$1.5 million awarded was more than adequately matched by funds raised by The Freshwater Trust. Other partners on the grant are Idaho DEQ, Oregon DEQ, Washington Dept. of Ecology, and World Resources Institute. Region 10 is also named as a partner but we are not receiving any funds under the grant as the other partners are to support their participation. However, I am being made available to work on this project along side the states, and I also have a small R10 team of TMDL, NPDES and Enforcement staff to help out as specific topics come up. Bob Rose also volunteered to help out with specific questions we need referred to OGC or OW offices.

We just had a kick-off meeting with Willamette Partnership and The Freshwater Trust with the R10 Team last week, so this project is just getting started. The plan is to have draft documents prepared for discussion at four partner workshops lasting two days in April, June, August and Oct., and with conference calls and further document editing in between to get through the work. If all goes well, then the states will launch pilot projects in 2014 under the new regional framework. There will also be opportunities for the public to participate and comment, but I'm not sure what Bobby Cochran of The Willamette Partnership, who is facilitating the process, has in mind. I'm attaching a DRAFT fact sheet Willamette Partnership prepared that shouldn't be circulated very widely yet but it does a good job of describing this project. Please note that we aren't saying we can sign anything yet, and certainly not without OW & OGC

review first.

Please let me know if you have any questions and how closely you'd like to be kept informed. Also, you are always welcome to come out and participate in any of the meetings or listen in via phone as Bob did on our kick-off call last week.

*(See attached file: JRA 2-Pager\_2013 01 12.pdf)*

-- Claire

Claire Schary  
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