

**From:** [DeBerry, Drue](#)  
**To:** [Theodore Toombs](#)  
**Cc:** [Madeleine West - DNR](#); [William McDow](#); [Shauna Ginger](#); [Lee Corum](#)  
**Subject:** Re: Re:  
**Date:** Tuesday, February 03, 2015 2:45:41 PM

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Ted,

I'll call you. It will be more efficient.

Drue DeBerry  
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[drue\\_deberry@fws.gov](mailto:drue_deberry@fws.gov)

On Tue, Feb 3, 2015 at 3:34 PM, Theodore Toombs <[ttoombs@edf.org](mailto:ttoombs@edf.org)> wrote:

Great. Can you answer the other questions. E.g. time?

**From:** DeBerry, Drue [mailto:[drue\\_deberry@fws.gov](mailto:drue_deberry@fws.gov)]  
**Sent:** Tuesday, February 03, 2015 3:33 PM  
**To:** Theodore Toombs  
**Cc:** Madeleine West - DNR; William McDow; Shauna Ginger; Lee Corum  
**Subject:** Re: Re:

#3 is where you demonstrate the process for a debit or credit.

#5 is where we discuss the scenarios that we provided

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On Tue, Feb 3, 2015 at 3:23 PM, Theodore Toombs <[ttoombs@edf.org](mailto:ttoombs@edf.org)> wrote:

Drue,

Will is on a plane right now.

What is the difference between #3 and 5a. I suppose we'll understand more when you send the scenario document?

Also, I assume that because we are running scenarios in #3 and 5a. that the crosswalk presentation is high level programmatic elements that coincide with the framework. Correct? How much time do we have for the crosswalk presentation?

Finally, it would be good to see a sense of the time associated with each of the agenda items, at least roughly. This will help with preparation.

Thanks,

Ted

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**From:** Madeleine West - DNR [mailto:[madeleine.west@state.co.us](mailto:madeleine.west@state.co.us)]  
**Sent:** Tuesday, February 03, 2015 9:30 AM  
**To:** DeBerry, Drue  
**Cc:** William McDow; Shauna Ginger; Lee Corum; Theodore Toombs  
**Subject:** Re:

This works for me if it works for the rest of u. Thx!

Sent from my iPhone. Please excuse typos!

On Feb 3, 2015, at 9:27 AM, "DeBerry, Drue" <[drue\\_deberry@fws.gov](mailto:drue_deberry@fws.gov)> wrote:

Madeleine,

I've proposed a slightly modified agenda. Does this work?

- 1) FWS anticipated/draft review and approval process for agreements seeking pre-listing mitigation credits (FWS)
- 2) Side by side of Exchange and GRSG Mitigation Framework (CHE)
- 3) Sample Credit and Debit Transaction (CHE)
- 4) Clarifications and Responses to FWS initial questions provided prior to the meeting(CHE)
- 5) Group discussion of Scenarios (see attached scenario document)
  - a. Credit and Debit situations
  - b. FWS approaches for working with pre-listing mitigation credits in a post-listing scenario
- 6) Next steps

Questions and scenarios will be in the next email

Drue DeBerry

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On Fri, Jan 30, 2015 at 4:16 PM, West - DNR, Madeleine  
<[madeleine.west@state.co.us](mailto:madeleine.west@state.co.us)> wrote:

Thanks for your time today. Here is a sketch of an agenda - let me know if this doesn't sound right.

-Madeleine

Mtg with FWS

- 1) CHE present Exchange and Sample Transaction - *What FWS is being asked to review/approve* (30 mins)
- 2) FWS present expectations for review and approval - *How FWS will review/approve Exchange* (30 mins)
  - Understand lens through which FWS will review Exchange (range-wide mitigation framework, pending biological sideboards & policy questions)
- 3) Group Discussion of Conceptual Scenarios (1 hour)
  - Answer clarifying questions & discuss scenarios
  - ID priority exchange elements for future conversation/follow up information exchange
- 4) Discuss Process for Approval (45 mins)
  - Timing for listing decision & what that means for the Exchange
  - Process for approving and providing assurances for credits post-listing – conservation banking authority? Something else?
- 5) Next Steps (15 mins)

Madeleine West

## Policy Adviser

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On Fri, Jan 30, 2015 at 1:39 PM, DeBerry, Drue <[drue\\_deberry@fws.gov](mailto:drue_deberry@fws.gov)> wrote:

Business Alpha is worried that future operations might be disrupted by a listing. Alpha buys 100 Functional Acre (FA) credits that will last 30 years today. Five years from today, the bird is listed and Alpha has a project on BLM lands. After consultation and the hierarchy has been applied, the project is anticipated to have 80 FA debits for 40 years. What happens?

Alpha has five years of 100 FA credit (or 500 FA years, but are FA years allowed?) at the time the project starts. Alpha will need 80 FA for 40 years or 3,200 FA years. Starting today until the project is restored? Or until the project area is restored less 5 years?

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