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**From:** Maria Rea - NOAA Federal <maria.rea@noaa.gov>  
**Sent:** Thursday, March 14, 2019 4:38 PM  
**To:** Thad Bettner  
**Subject:** Fwd: HEA

Thad,

I was on a call with Andy Hitchings, and he asked for an example of an agreement that was tied to a consultation but not part of the action agencies proposed action. This Oroville Habitat Expansion Agreement is our best example. DWR, as an applicant to FERC, wanted to provide for habitat expansion in lieu of FERC prescribing fish passage at Oroville, and this agreement was drafted. It was not adopted by FERC, but when we wrote the ESA Section 7 consultation on the FERC license, we pulled this agreement in an interrelated interdependent action, and used it in our jeopardy analysis to (in part) support a nonjeopardy conclusion. And we also authorized take in the Biop.

This agreement is not the best example because it's much longer and perhaps more formal than what we may be interested in drafting. I think if we can work on the content, then hopefully the form of the drafting will become clearer.

- Maria

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----- Forwarded message -----

**From:** Steve Edmondson - NOAA Federal <[steve.edmondson@noaa.gov](mailto:steve.edmondson@noaa.gov)>  
**Date:** Thu, Mar 14, 2019 at 3:28 PM  
**Subject:** Fwd: HEA  
**To:** Maria Rea <[Maria.Rea@noaa.gov](mailto:Maria.Rea@noaa.gov)>

----- Forwarded message -----

From: **Steve Edmondson - NOAA Federal** <[steve.edmondson@noaa.gov](mailto:steve.edmondson@noaa.gov)>

Date: Mon, Mar 11, 2019 at 12:06 PM

Subject: HEA

To: Maria Rea <[Maria.Rea@noaa.gov](mailto:Maria.Rea@noaa.gov)>

Cc: Howard Brown <[howard.brown@noaa.gov](mailto:howard.brown@noaa.gov)>

Maria:

Please see attached, the amended HEA settlement for Oroville, Upper North Fork Feather River, Poe and Rock Creek Cresta FERC license renewals.-----steve.