

**Portions of this document have been redacted on the grounds those redacted portions contain commercial or financial information and are confidential.**

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oo:

Subject: Command: Girl Scout Creek property

Command TC,

Kate Anderton of Save-the-Redwoods confirms that the \$ [redacted] from the CCC  
is indeed included in the \$ [redacted] funds already raised. Thus, the  
remaining shortfall on the loans for the purchase is \$ [redacted]

all for now,

Steve Hampton

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### Proposal to Fish and Wildlife Service Acquisition of 80 acres near Butano State Park

Proposal for purchase of 80 acres of undeveloped redwood and douglas fir forest, including 30 acres of old growth on which "murrelets may be nesting." (Mori, 2002. See 2002 Marbled Murrelet Study, page 5) Purchase protects sensitive habitat, ancient forest, and headwaters of Girl Scout Creek, a tributary to Butano Creek.

Acres:	80
Appraised value:	\$ [REDACTED]
Purchase cost for Fish and Wildlife Service:	\$ [REDACTED] (10% of appraised value)
Current owner:	Save-the-Redwoods League
Contact:	Katherine Anderson, Executive Director

#### Habitat quality characteristics

This undeveloped forested property, located on the western slopes of the Santa Cruz Mountains, includes approximately 30-acres of old-growth coast redwood forest. The principal habitat is a coast redwood / Douglas-fir forest with smaller patches of chaparral. During July 2002 protocol surveys for marbled murrelet resulted in over 100 detections and indications of "occupied" stand behavior. The property contains several old-growth redwoods with potential murrelet nest platforms. The consulting biologist who conducted the surveys states that his observations and site characteristics "suggests that murrelets may be nesting on or immediately adjacent to the site." (Mori, 2002. See 2002 Marbled Murrelet Study, page 5). Butano State Park, approximately a quarter of a mile to the south, contains known nesting murrelet habitat. While conducting the surveys the biologist observed a family of sharp-shinned hawks on and adjacent to the site. The sharp shinned hawk is designated by the California Department of Fish and Game as a "species of special concern."

The property contains the headwaters of Girl Scout Creek, a tributary to Butano Creek that flows into Pescadero Creek and ultimately Pescadero Marsh – an important coastal lagoon. Pescadero Creek supports a run of central California coast steelhead and historically supported coho salmon. The creek is now listed as an "impaired" water body under Section 303(d) of the Clean Water Act because of degradation to its steelhead habitat caused by siltation from present and historic land-use in the watershed. The primary cause of siltation in the upper watershed is timber harvesting and sawmill operations.

#### Cost

Save-the-Redwoods League purchased the land for its appraised value of \$ [REDACTED] and is offering the property for sale to the USFWS for \$ [REDACTED]. Save-the-Redwoods League secured

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a grant and a loan, as well as advanced its own funds to complete the purchase. To date, Save-the-Redwoods League has raised approximately \$ [REDACTED] for the property and expects this to number to grow to \$ [REDACTED]. Save-the-Redwoods League proposes to sell the land for \$ [REDACTED] which is approximately [REDACTED] % of its appraised value. (Appraised value \$ [REDACTED] less funds raised and expected to be raised \$ [REDACTED] equals sale price of \$ [REDACTED])

Save-the-Redwoods League does not seek recovery of any indirect costs associated with the transaction.

#### Surrounding land use

The surrounding land use includes public and private recreation and timber extraction. Butano State Park lies approximately one quarter of a mile to the south of the property and the privately owned Butano Creek Girl Scout Camp lies to the east. The areas of recreational use on the Girl Scout property are not near the core old-growth areas. The land immediately to the north, owned by Big Creek Lumber Company, is subject to a conservation easement held by Pacific Forest Trust that will see it maintained in forest production.

#### Urgency

Long term redwood conservation and protection of old-growth dependent species such as the marbled murrelet depend on maintaining and restoring the natural processes of the forest. This requires protection of larger, connected blocks of land rather than isolated "islands." One of the primary threats to the redwood forest in the Santa Cruz Mountains is land-use conversion from forest uses to rural residential with associated development. Given the proximity of the Park and the conservation easement, much of the landscape surrounding the subject property is protected from such a conversion.

Save-the-Redwoods League purchased the land at its appraised value of \$ [REDACTED] from the University of California Board of Regents who declared the property surplus. The Board of Regents indicated that if unable to sell the property to conservation interests it would put the land on the open market, exposing it to potential fragmentation and purchase by timber or development interests. Such a purchase would almost certainly have resulted in a loss of suitable murrelet habitat.

#### Long Term Steward

The California Department of Parks and Recreation has evaluated the property and recommends its addition to Butano State Park. Its resource values and proximity to the Park warrant the Department's acceptance of the parcel as a donation for long term stewardship.

#### Access

Currently, there is no public access to the parcel. Access is through the Girl Scout property under a license agreement between Save-the-Redwoods League and the Girl Scouts and is limited to administrative use only. Rights under the license agreement will terminate upon Save-the-Redwoods League's securing alternate access to the property. The property is separated from the Park by a single parcel.

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Command Oil Spill Administrative Record:  
Documents Withheld As Privileged Or Confidential

Date	Type	To/From	Description	Grounds for Withholding
8/1/03	Memorandum	To Legal Representatives of Justice Council; from C.A. Lown (Attorney, U.S. Dept. of the Interior)	Legal analysis of requirements for acquiring equivalent natural resources	Attorney-Client Communication Attorney Work Product Joint Defense Privilege Law Enforcement Purposes