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June 9, 2010

Kristine VanKeuren
Public Records Act Coordinator
Office of General Counsel
Department of Fish and Game
1416 - 9th Street, 12th Floor, Suite 1341
Sacramento, CA 95814

Request for Copies of Documents Under California Public Records Act (Government Code §§6250 et seq.) Pertaining to the BRYTE RANCH CONSERVATION BANK
Response Date: June 23., 2010 (Govt. Code §6256)

Dear Ms. VanKeuren,

I am making this request on behalf of my client, Friends of the Swainson's Hawk, a California Nonprofit Corporation.

Pursuant to the California Public Records Act, (Government Codes § 6250 et seq.), I respectfully request that the Department make available to me or my agent for inspection the following documents and that the Department make copies of those documents which I may select for copying, all pertaining to the BRYTE RANCH CONSERVATION BANK, located in Sacramento County, California:

1. The Bryte Ranch Conservation Bank Agreement, any amendments or modifications thereto, and all Exhibits and Attachments referenced or attached to said Agreement and any amendments thereto.
2. The Management and Operations Agreement, Implementing Agreement, Conservation Easement, any amendments or modification thereto, and any Exhibits and Attachments to said document.
3. All record of mitigation credits sold by the Bank, including but not limited to listing to whom credits were sold, for what project, and how many acres by species.

4. Any management and monitoring plan, funding agreement, resources management plan, and any written accounting or report regarding activities under the management and monitoring and resource management plans.

5. All correspondence between DFG and the owner or manager of the Bank.

6. All monitoring and compliance reports.

Documents which would otherwise be exempt from disclosure under the attorney-client privilege must nonetheless be produced for inspection and copying if the contents of such documents were previously copied or otherwise communicated or disclosed to non-client third parties, which operates as a waiver of attorney-client privilege as to the contents of such documents.

If the Department determines that a portion of said documents are exempt from disclosure, the non-exempt portion shall be provided after deletion of the exempt portions. (Government Code § 6253.9(e)). If District denies access to any records or portions of records, please submit a written list of the records or portions of records, for which disclosure is denied, and the reasons for denial of access to each such document.

Please telephone if you have any questions. I will be out of town and unavailable from June 10, 2010, through June 17, 2010.

THANK YOU VERY MUCH.

Very Truly Yours,


James P. Paehl

cc: Judith Lamare