

From: [Steve Davis](#)
To: [Jess, Robert RJ](#); [Gardiner, Dawn](#)
Cc: [Truitt, Yvette](#)
Subject: RE: Land donation
Date: Monday, February 29, 2016 1:49:24 PM
Importance: High

Great, thanks so much!

We will proceed w/ donating to TPWD and will keep USFWS apprised throughout the entire process.

From: Jess, Robert [mailto:robert_jess@fws.gov]
Sent: Monday, February 29, 2016 3:43 PM
To: Steve Davis; Dawn Gardner
Cc: Truitt, Yvette
Subject: Re: Land donation

Steve,

I just spoke to Dawn Gardner who represents ES on mitigation off refuge for our area and she is supportive as are we on Space X donating this land to TPWD. As part of mitigation obligations, SpaceX, with concurrence from FWS representatives, still meets the goals of mitigation since: TPWD is a partner to FWS; and the land would still be under a "conservation" nexus.

I hope this helps...

On Tue, Feb 23, 2016 at 3:40 PM, Steve Davis <Steve@spacex.com> wrote:
Hi Rob and Yvette,

Thanks again to both of you for chatting today.

Per conversation, we are interested in donating the Port land to TPWD, as a substitute for USFWS.

All parties have been working the donation process with the port (BND) and USFWS for more than 15 months, and we really appreciate the USFWS support.

However, it appears that, between SpaceX, BND, and USFWS, it is unlikely that we will be able to reach a signed contract.

Sticking points currently include representations/warranties on the site's environmental history, as well as concern over language restricting activity on adjacent land, and there is no obvious resolution in site.

We are currently spending tens of thousand dollars on legal fees on this transfer, money which we could be spending purchasing, donating, and conserving other land.

Thus, we would like to recommend that the Port land is instead donated to Texas Parks & Wildlife. This donation will accomplish the same purpose – conservation of the land, which is all parties' common goal.

Donating to TPWD does not have the same sticking points and can be done in a simpler,

faster, and less expensive manner. We are familiar with the TPWD process, and actually completed a donation 4.6 acres to TPWD just last week.

I am hopeful that USFWS is amenable to this suggestion. We are still looking forward to working w/ USFWS in all of the other conservation programs; with regards specifically to land donation though, we believe this is the path forward that will maximize the amount of land conserved.

Feel free to call anytime to discuss.

Thanks!
Steve

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