



United States Department of the Interior



FISH AND WILDLIFE SERVICE Mountain-Prairie Region

IN REPLY REFER TO:
BA/FOIA
MS 60180

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225-0486

STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228-1807

August 27, 2014

Jeff Ruch
PEER
2000 P. Street, NW. Suite 240
Washington D.C. 20036

REF: FWS-2014-00925

Dear Jeff Ruch:

This responds to your Freedom of Information Act (FOIA) request dated May 12, 2014, for:

Documents related to the Environmental Assessment (EA) for the Draft Fiscal Year 2013-2016 Annual Funding Agreement (AFA) Between the United States Department of the Interior and the Confederated Salish and Kootenai Tribes of the Flathead Reservation (CSKT). Specifically, we request the following:

- Copies of all communications and documents exchanged between U.S. Fish & Wildlife Service (USFWS) and CSKT regarding the draft EA and /or AFA;*
- Copies of all documents and communications concerning development of a national policy for Annual Funding Agreements with Indian tribes; and*
- All documents and communications concerning the Comprehensive Conservation Plan for the National Bison Range Wildlife Refuge Complex.*

On June 23, 2014, we provided a partial response to your request. In that response we stated documents were still under review. We have completed a portion of that review and in accordance with 43 CFR 2, enclosed are further responsive documents to your request. There are additional documents not included in this response as they are still under review. Once the review is complete we will provide you with our determination on those documents. No record has been withheld in this release and any fee associated with this request has been waived.

In addition, we received an email dated August 8, 2014, from Paula Dinerstein addressing some concerns with the first response. We have included unredacted emails and missing attachments in this response. Such information is included in a separate folder labeled, "Follow up Release." We are tracking down one original email and will provide that with the final response.

You may appeal this partial response to the FOIA Appeals Officer. The FOIA Appeals Officer must receive your FOIA appeal no later than 30 workdays from the date of this letter responding to your FOIA request. Appeals arriving or delivered after 5 p.m. E.T., Monday through Friday, will be deemed received on the next workday. Your appeal must be in writing and addressed to:

Freedom of Information Act Appeals Officer
Department of the Interior
Office of the Solicitor
1849 C Street, NW, MS 6556
Washington, DC 20240

You must include with your appeal copies of all correspondence between you and the bureau concerning your FOIA request, including a copy of your original FOIA request and this response letter. Failure to include this documentation with your appeal will result in the Department's rejection of your appeal. The appeal should be marked, both on the envelope and the face of the letter, with the legend, "FREEDOM OF INFORMATION APPEAL." Your letter should include in as much detail as possible any reason(s) why you believe the bureau's response is in error."

As part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Telephone: 301-837-1996
Facsimile: 301-837-0348
Toll-free: 1-877-684-6448

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Sincerely,

Antoinette Urioste
Region 6 FOIA Office