



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington D.C. 20240



May 23, 2024

Via email: jeffjuel@wildrockies.org

Jeff Juel
Montana Policy Director
Friends of the Clearwater
PO Box 9241
Moscow, ID 83843

REF: DOI-FWS-2024-000585

Dear Mr. Juel:

We are writing to respond to your Freedom of Information Act Request (FOIA) request dated November 23, 2022 and assigned control number DOI-FWS-2023-001025. Your request was generally for records related to the relocation of two grizzly bears near Florence, MT, to a site in the Sapphire Mountains.

Response

On May 11, 2023, we sent you our final response to the FOIA request, which you appealed to the Department of the Interior FOIA Appeals Office (Appeals Office) to challenge the adequacy of our search for responsive records (Appeal No. 2023-172). On April 29, 2024, the Appeals Office issued the decision on your appeal and remanded the FOIA request to the FWS so we could review the issues you raised regarding our search and assess the adequacy of the initial file search we conducted for records responsive to your request. In processing this remand, we have assigned a new FOIA request number, DOI-FWS-2024-000585. Please reference this new request number in any future correspondence you send to us regarding this matter.

To address the appeal remand, we conducted another search of our files and located an additional 23 pages of responsive records, which are being released to you in full. With regard to the attachment you identify in the appeal as "20220713 OP MT Grizzly Relocations Finals.docx" and state was missing from our production, you will find this record on page 22 of our first interim response in the file we sent you named, "1stRelease_DOI-FWS-2023-001025.pdf." Finally, on your request for "notes" taken by FWS employees, our initial and supplemental searches did not locate any agency records responsive to this aspect of your request.

Mediation/Dispute Resolution

If after contacting us as described below, you need further information or assistance with your request, you may wish to seek dispute resolution services from the Department's FOIA Public Liaison, Natasha Jones by email at doifoiapublicliaison@sol.doi.gov.

If you need further information or assistance after contacting the Department's FOIA Public Liaison, you may wish to seek dispute resolution services from the Office of Government Information Services (OGIS). The 2007 FOIA amendments created the OGIS to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://www.archives.gov/ogis>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

Appeal Rights

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal no later than 90 workdays from the date of this final response. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe this response is in error. You must also include with your appeal copies of all correspondence between you and FWS concerning your FOIA request, including your original FOIA request and this response. Failure to include with your appeal all correspondence between you and FWS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior
Office of the Solicitor
1849 C Street, N.W.
MS-6556 MIB
Washington, DC 20240
Attn: FOIA/Privacy Act Appeals Office
Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

Conclusion

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See [5 U.S.C. 552\(c\)](#). This response is limited to those records that are subject to the requirements of 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.

If you have questions about our response, you may contact me by phone at 303-236-4473, or by email at stacey_cummins@fws.gov.

Sincerely,

Stacey Cummins
FWS Lead FOIA Coordinator