United States Department of the Interior

FISH AND WILDLIFE SERVICE
5275 Leesburg Pike, MS: IRTM
Falls Church, VA 22041

IN REPLY REFER TO:
DOI-FWS-2021-005331

October 3, 2022

Via email: dougpeacock@savetheyellowstonegrizzly.org

Doug Peacock
Save the Yellowstone Grizzly
PO Box 2242
Livingston, MT 59047

Dear Mr. Peacock:

The U.S. Fish and Wildlife Service Headquarters Freedom of Information Act (FOIA) Office received your FOIA request dated December 23, 2021, and assigned it control number DOI-FWS-2022-001303. Please cite this number in any future communications with our office regarding your request. You requested the following:

> *1. any electronic communications, records of phone calls, or other correspondence between the United States Fish and Wildlife Service ("USFWS") and the Montana Department of Fish, Wildlife and Parks ("FWP") and/or the United States Forest Service ("USFS") concerning the grizzly bear killed near Baker's Hole Campground ("Grizzly Bear 449") on April 16, 2021;*
>
> *2. any documents including notes, reports, communications, or meeting minutes discussing Grizzly Bear 449, the incident in which Carl Mock was attacked on April 15, 2021, the decision to kill Grizzly Bear 449, or subsequent investigations into the events surrounding the bear attack on Mock on April 15, 2021 or the killing of Grizzly Bear 449 on April 16, 2021;*
>
> *3. From April 15, 2021 to the date USFWS conducts this search, any and all records generated in connection with any application from FWP, USFS, or any other person or agency for an Incidental Take Permit ("ITP") for Grizzly Bear 449, which was killed near Baker's Hole Campground near West Yellowstone, Montana;*
>
> *4. any electronic communications, records of phone calls, or other correspondence between the USFWS and FWP concerning the grizzly bear that was relocated from the Whitetail Golf Course north of Stevensville, Montana on October 27, 2018 to the Northern Continental Divide Ecosystem;*

5. any documents including notes, reports, communications, or meeting minutes, including but not limited to those between the USFWS and FWP, related to the decision to relocate the grizzly bear captured on the Whitetail Golf Course north of Stevensville, Montana on October 27, 2018 to the Northern Continental Divide Ecosystem;

6. any electronic communications, records of phone calls, or other correspondence between the USFWS and FWP concerning the grizzly bear that FWP killed on or about May 26, 2021 near Dupuyer, Montana;

7. any documents including notes, reports, communications, or meeting minutes, including but not limited to those between the USFWS and FWP, concerning the grizzly bear that FWP killed on or about May 26, 2021 near Dupuyer Montana;

8. any electronic communications, records of phone calls, or other correspondence between the USFWS and FWP concerning the grizzly bear that FWP killed on or about May 12, 2021 in the Big Snowy Mountains south of Lewistown, Montana;

9. any documents including notes, reports, communications, or meeting minutes, including but not limited to those between the USFWS and FWP, concerning the grizzly bear that FWP killed on or about May 12, 2021 in the Big Snowy Mountains south of Lewistown, Montana;

10. any electronic communications, records of phone calls, or other correspondence between the USFWS and FWP concerning a grizzly bear that was found dead in late November or early December, 2021 near Emigrant, Montana.

11. any documents including notes, reports, communications, or meeting minutes, including but not limited to those between the USFWS and FWP, concerning the grizzly bear that was found dead in late November or early December, 2021 near Emigrant, Montana.

Response

We are writing today to complete the response to your request on behalf of the Fish and Wildlife Service. We previously partially responded to this request on August 8, 2022 and September 23, 2022 and informed you that we were continuing to review additional records. Enclosed are three documents totaling forty-nine pages being released in their entirety.

No fees will be charged as we have approved your fee waiver.

Mediation Services

The 2007 FOIA amendments created the Office of Government Information Services (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.

Contact information for the Department's FOIA Public Liaison, whom you may also seek dispute resolution services from, is available at *https://www.doi.gov/foia/foiacenters*.

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.

This is out final response and closes your request DOI-FWS-2021-001303. If you have any questions regarding this request, please contact Kendall Elifrits, FWS Information Disclosure Specialist, via email at FWHQ_FOIA@fws.gov or by mail at U.S. Fish and Wildlife Service; ATTN: FOIA Office; 5275 Leesburg Pike; MS: IRTM; Falls Church, VA 22041.

Sincerely,

KENDALL ELIFRITS Digitally signed by KENDALL ELIFRITS Date: 2022.10.03 15:32:59 -04'00'

Kendall Elifrits
U.S. Fish and Wildlife Service
FWS Headquarters FOIA Program