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Freedom of Information Act (FOIA) Coordinator
U.S. Fish & Wildlife Service
Interior Region 2
Atlanta, GA
Via www.foiaonline.gov

RE: FREEDOM OF INFORMATION ACT (FOIA) REQUEST

Dear Sir or Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, South Florida Wildlands Association (SFWA) requests from the U.S. Fish and Wildlife Service (FWS) copies of documents as described below:

All documents relating to the Draft Biological Opinion on the Eastern Collier Multi-Species Habitat Conservation Plan that have been generated or received by FWS since the date FWS produced the Draft Biological Opinion. The Draft Biological Opinion, in two parts, is attached for reference.

The term “document,” as used in this request, includes, but is not limited to, memoranda, reports, studies, manuals, guidelines, protocols, instructions, meeting notes, charts, photographs, maps, spreadsheets, and all other written communications (electronic or otherwise).

I would prefer that these documents be transmitted to me as e-mail attachment(s) in PDF, Word, or WordPerfect format if the documents are maintained in any of these formats, otherwise I would request that they be faxed to me at 954-206-0593, or mailed to me at 757 S.E. 17th Street, PMB 309, Fort Lauderdale, Florida 33316, in either print form or on a compact disc (CD) or USB flash drive.

SFWA requests a fee waiver for the costs associated with the response to this FOIA request. The basis for the fee waiver is set forth below.

1. The records concern the operations or activities of the Government.

The FOIA request is clearly limited to a narrowly specified activity of the FWS: its Draft Biological Opinion on the Eastern Collier Multi-Species Habitat Conservation Plan and its internal and external communications regarding same.

2. The disclosure of the requested records is likely to contribute to public understanding of these operations or activities.

The requested material concerns the manner in which FWS generates and seeks input on Biological Opinions related to Habitat Conservation Plans.

3. The release of these requested records will contribute significantly to public understanding of the governmental activities.

Public understanding of FWS activities will be significantly assisted by the release of the requested records by enabling the public to understand how FWS evaluates impacts of Habitat Conservation Plans on wildlife habitat, including but not limited to the habitat of the Florida panther.

Supporters of South Florida Wildlands Association (SFWA) are highly concerned about FWS' actions to protect wildlife habitat, including but not limited to habitat of the Florida panther. SFWA intends to provide the requested information to the general public through —

- Release to the news media;
- Posts on SFWA's Facebook page, which has over 122,000 followers;
- E-mails to an e-mail list of approximately 10,000 recipients.

Through these methods, SFWA generates media coverage and increased public awareness. Matthew Schwartz, the executive director of SFWA, has been quoted numerous times on behalf of SFWA in the media. Moreover, SFWA e-mail alerts have been reprinted on numerous websites and recirculated by other grassroots environmental organizations around the country.

4. Disclosure would not serve a commercial interest of the requestor.

Disclosure is in no way connected with any commercial interest of the requestors in that SFWA is a nonprofit, nonpartisan public interest organization concerned with protection of public lands, wildlife, and wildlife habitat. SFWA registered with the State of Florida as a non-profit corporation in March 2010, and has been granted tax-exempt status under Section 501 (c) (3) of the Internal Revenue Code.

If you have any further questions related to SFWA's fee waiver request, please do not hesitate to contact me.

If the fee waiver is not granted, and if the expenses to be charged to my client exceed \$150.00, please obtain my approval before any such charges are incurred. You can contact me at 954-523-1131 or via e-mail at mara@shlackmanlaw.com for approval of expenses.

I will expect a response within 20 working days as provided by law. If my request is denied in whole or in part, I expect a detailed justification for withholding the records. I also request any segregable portions that are not exempt to be disclosed.

Please contact Matthew Schwartz, Executive Director of South Florida Wildlands Association, if there are any clarifying questions regarding the content we are seeking in this request. He can be reached at matthew@southfloridawild.org or 954-993-5351.

Thank you for your prompt attention to this matter.

Very truly yours,

/s/Mara Shlackman

Mara Shlackman

cc: Matthew Schwartz (matthew@southfloridawild.org)