



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Washington, D.C. 20240

NOV 23 2015

In Reply Refer To:
FWS/DCC/BEL/061827
FOIA #FWS- FWS-2014-01226

Mr. Eric Huber
Sierra Club
Suite 102W
1650 38th Street
Boulder, Colorado 80301

Sent by Email and U.S. Postal Mail

Dear Mr. Huber:

In response to your email of November 13, 2015, we wanted to thank you for returning the CD containing unredacted, privileged information that was mistakenly released on October 30, 2015, as part of the U.S. Fish and Wildlife Service's ("Service") sixth production. On November 6, 2015, in response to your request for a CD containing a properly redacted version of the Service's sixth production, another CD was provided to you, which we have subsequently discovered contains privileged information that was inadvertently released and should have been redacted.


Specifically, the subject document containing privileged information that was inadvertently released is an email dated October 24, 2015 which is named "20131024 1048_Email_Re_OMB Review of EPA's 316(b) final regulation". Therefore, because the document was released in error, we request that you promptly return, destroy, or sequester all copies of this document, and refrain from any use, copying, or distribution of it.

Enclosed with this letter, the Service is providing a corrected CD, containing a properly redacted version of the subject document. This CD should be considered the Service's sixth interim response to Sierra Club's request under the Freedom of Information Act (FWS-2014-01226). For your convenience, we are also enclosing a hard copy of the properly redacted document.

In addition, we appreciate your continued commitment to sequester any copies of the materials that were inadvertently released on October 30, 2015.

Thank you for your prompt attention to this matter. If you have any questions concerning this please contact Headquarters Ecological Services (HQ ES) FOIA Coordinator, Eileen Harke, at (703) 358-2096 or by email at eileen_harke@fws.gov.

Sincerely,

A handwritten signature in black ink that reads "Caitlin Snyder". The signature is written in a cursive, flowing style.

Caitlin Snyder
Acting Chief, Branch of ES Litigation Support
Ecological Services Program

Enclosure

cc: Eileen Harke – HQ ES FOIA Coordinator
Shawn Finley – DOI Office of the Solicitor
Stephanie Hsiung – Sierra Club