



Northwest
1216 Lincoln Street
Eugene, Oregon 97401
(541) 485-2471

Rocky Mountains
103 Reeder's Alley
Helena, Montana 59601
(406) 443-3501

Southwest
208 Paseo del Pueblo Sur #602
Taos, New Mexico 87571
(575) 751-0351

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Western Environmental Law Center

April 9, 2015

Johnny Hunt
FOIA Officer
Division of Information Resources and Tech. Management
U.S. Fish and Wildlife Service
4401 N. Fairfax Drive, Suite 380
Arlington, Virginia 22203
Tel: (703) 358-2504
fwhq_foia@fws.gov

Antoinette Urioste
FOIA Coordinator
U.S. Fish and Wildlife Service
P.O. Box 25486
Denver, Colorado 80225
Tel: (303) 236-4473
Antoinette.Urioste@fws.gov

Dear Mr. Hunt and Ms. Urioste,

This is a request under the Freedom of Information Act (FOIA). This FOIA request relates to the administration by the U.S. Fish and Wildlife Service (Service) of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) program. Specifically, this request relates to documents pertaining to Canada lynx and the CITES export program for furbearers. On behalf of WildEarth Guardians, a non-profit conservation group, I respectfully request copies of the following documents:

1. Please provide copies of all data and/or records of all lynx trapped, killed, injured, or otherwise taken since January 1, 2012 and reported to the Service by all of the States and Tribes the Service has approved for coverage under the CITES export program for Appendix II furbearers.
2. Please provide copies of any and all annual, periodic, or other reports or other data since January 1, 2012 from the State of Idaho to the Service to apply for, report on, or otherwise support any coverage from the Service to the State of Idaho for the trapping, hunting, or harvest of bobcats under the CITES export program for Appendix II furbearers.

3. Please provide copies of any and all documents by which the Service has approved of the State of Idaho's bobcat harvest program for any coverage under the 2001 and 2012 Biological Opinions and Incidental Take Statements (ITS) prepared by the Service to evaluate the effects on Canada lynx of the CITES export program for Appendix II furbearers.
4. Please provide copies of any and all documents that explain whether the Biological Opinions and ITSs prepared by the Service to evaluate the effects on Canada lynx of the CITES export program evaluates or covers the hunting of bobcats using hounds or dogs.
5. Please provide copies of any and all documents that discuss or explain, when the Service adopted the criterion in the ITSs to specify the amount of permissible take, what the Service meant or means by the term "injured," and what reports, data, or information the Service relies on to determine whether a lynx has been "injured."
6. On April 11, 2012, the Acting Assistant Regional Director—Ecological Services, Region 6, wrote a letter to the Assistant Director—International Affairs, Division of Management Authority, Attention: Robert Gabel, that stated that since the Service issued a Biological Opinion in 2001 to evaluate impacts on Canada lynx of the CITES export program for furbearers, "take of Canada lynx by various trapping methods has been documented; however, take of lynx attributable to the Program has been limited to eight trappings where the lynx were released unharmed." Please provide copies of all documents that discuss the difference between take of Canada lynx by "various trapping methods" and "take of Canada lynx attributable to the Program."

I respectfully request that the Service waive any search, copying, and service fees under 43 C.F.R. § 25. I make this request as an attorney with the Western Environmental Law Center (WELC), an IRS section 501(c)(3) public-interest environmental law firm, and on behalf of WildEarth Guardians, an IRS section 501(c)(3) conservation group dedicated in part to ensuring the long-term survival and recovery of lynx and other native species and their habitat in Idaho and the contiguous United States. The information I request will be used to help local communities, conservation groups, and any other interested persons understand how the CITES export program may affect lynx in the contiguous United States, and how many lynx have recently been caught, killed, or taken.

Any and all responsive documents will be disseminated to conservation and scientific groups and individuals concerned about conserving and restoring lynx and, in particular, harm to lynx from otherwise legal trapping and snaring activities. Any and all materials received will be carefully reviewed, copied, organized and provided to interested members of the public upon request. The subject of the materials received will also likely be written about in WELC's and WildEarth Guardians' websites, newsletters, and other social media. Neither WELC (the requester) nor Friends of the Wild Swan (the receiver) has a commercial interest that would be furthered by the requested disclosures.

Please email me or give me a call if I can provide you with any greater specificity as to the documents I request, or any additional information you may need to evaluate whether to grant us a waiver of search, copying, and service costs.

Thank you for your time and consideration.

Sincerely,

/s/ Peter M.K. Frost
frost@westernlaw.org
tel: 541-359-3238