



GREATERYELLOWSTONE.ORG
LOCATIONS IN MONTANA, IDAHO & WYOMING

HEADQUARTERS
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August 18, 2016

VIA ELECTRONIC MAIL
FREEDOM OF INFORMATION ACT REQUEST

U.S. Fish and Wildlife Service
Mountain-Prairie Region
Attn: Noreen Walsh and Matt Hogan
134 Union Boulevard
Lakewood, Colorado 80228
Cc: fwhq_foia@fws.gov

Re: Greater Yellowstone Grizzly bear proposed delisting rule and mortality thresholds

Dear Mrs. Walsh and Mr. Hogan:

This letter is a request for information under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, as amended. This letter seeks information on behalf of Greater Yellowstone Coalition (GYC). The relevant time period for this request is January 1, 2015, through and including the date of response to this request.

FOIA REQUEST

A. Definitions

For the purposes of this request, we define "documents" to include any and all (whether in proposed, draft, or final form) correspondence, memoranda, contracts, agreements, reports, notes, meeting minutes, calendars, telephone logs, photographs, maps, diagrams, scientific or technical data, analyses, studies, and other records, whether paper or electronic (including e-mail). The preferred format for responsive documents is electronic, if available.

Also, for the purposes of this request, "Wyoming" is defined to include the State of Wyoming and the Wyoming Game and Fish Department and any employees or representatives thereof. "Idaho" is defined to include the State of Idaho and the Idaho Fish and Game Department and any employees or representatives thereof. "Montana" is defined to include the State of Montana and the Montana Fish Wildlife and Parks Department and any employees or representatives thereof. The "Park Service" shall mean the National Park Service of the U.S. Department of the Interior and any divisions, employees, or representatives thereof. The "Service" shall mean the U.S. Fish and Wildlife Service of the U.S. Department of Interior and any divisions, employees, or representatives thereof.

B. Documents Requested

We request all correspondence, including emails, memoranda, meeting notes, and agreements of any kind and any related or attached documents internal to the **U.S. Fish and Wildlife Service** or between officials in **the Regional Offices in Missoula and Denver, or the Washington Office** with officials from the **National Park Service**, or the States of **Wyoming, Idaho, and Montana** related to removing the Greater Yellowstone ecosystem population of grizzly bears from the Federal List of Endangered and Threatened Wildlife (FWS-R6-ES-2016-0042). Specifically, we are requesting any information regarding the draft Revised Demographic Recovery Criteria, proposed mortality thresholds, draft Memorandum of Agreement regarding the management and allocation of discretionary mortality for grizzly bear, or the draft 2016 Grizzly Bear Conservation Strategy.

Please note that his request does not seek any documents publically available at <https://www.federalregister.gov/r/1018-BA41> or Supporting/Related Materials that are publically available at <https://www.fws.gov/mountain-prairie/es/grizzlyBear.php>

FEE WAIVER REQUEST

We request a waiver of all search and copying fees associated with this request. 5 U.S.C. § 552(a)(4)(A)(iii); 43 C.F.R. § 2.45(a). FOIA mandates that agencies waive search and copying fees where disclosure is "in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester." 5 U.S.C. § 552(a)(4)(A)(iii); accord 43 C.F.R. § 2.45(a). We provide the following information relating to the public benefits associated with this request and the requesters' entitlement to a fee waiver.

A. The Documents Relate to Governmental Activities and Operations or Issues of Great Public Interest.

The requested documents pertain to the U.S. Fish and Wildlife Service proposed action to remove federal protection for the Greater Yellowstone ecosystem population of grizzly bears. That determination directly affects the conservation and management of grizzly bears that are of national interest and the proposed action generated over 290,000 comments from the public.

The release of the requested records in response to this FOIA request will provide significant new information for public understanding of the U.S. Fish and Wildlife Service's determination and its management implications for grizzly bears.

GYC has participated fully in all public review and comment processes concerning delisting of grizzly bears and state agency actions related to grizzly bear management. Our organization has been involved in outreach and advocacy concerning grizzly bears for over three decades. It is therefore critical that we have a full understanding of the public agency decision making process regarding the Service's March 2016 determination to remove federal protections for grizzly bears and the expectations for continued conservation of this species by the aforementioned agencies. The records sought in this request will contribute greatly to the public's understanding of these important matters and will serve to inform public participation in agency decision making in future public comment periods on this matter.

B. The Requesters Will Use and Disseminate the Requested Documents for the Public Benefit.

GYC will use the requested documents to educate the public about post-delisting management of grizzly bears and expectations for continued success of recovery of grizzly bears. We will engage in advocacy to promote appropriate wildlife management policies in future comment periods finalizing the proposed actions.

GYC is a regional non-profit organization based in Bozeman, MT with offices in Wyoming and Idaho, and over 40,000 members and supporters from within the Northern Rockies and across the country. GYC has a 30+ year organizational history of work on grizzly bear conservation and management in the Greater Yellowstone Ecosystem. We have a strong interest in grizzly bear delisting and future management in the GYE. Our members and staff relish the opportunity to view grizzly bears and to experience the wild places that grizzly bears represent. Our members and staff also participate in all public processes and management decisions regarding grizzly bears in the three Greater Yellowstone Ecosystem states and throughout the region.

This expertise, as well as the requesters' associations with experts in various conservation and wildlife management-related fields, gives them the ability to (1) contribute significantly to public understanding of government operations and activities concerning wildlife management and conservation; (2) explain and interpret the requested information for the public; (3) disseminate the requested information to the public via their web sites, newsletters and action alerts, and social media platforms; (4) disseminate the

requested information to other non-governmental organizations working on the same or similar issues; and (5) gain access to media outlets for the purpose of disseminating and explaining the requested information to the public.

C. The Requesters Will Not Benefit Financially From the Requested Information.

GYC does not have any commercial interest in, and will not financially benefit from, the requested documents. The organization is recognized by the federal government as non-profit, public interest conservation organization. GYC will use the records to inform the public about grizzly bear conservation and to participate in public processes surrounding such actions. Based on the foregoing, we respectfully request a full fee waiver for production of the requested records. In the event that any of the requested documents or portions thereof are exempt from disclosure under 5 U.S.C. § 552(b)(1)-(9), we expect to receive all reasonably segregable portions of such records that are not themselves exempt, pursuant to 5 U.S.C. § 552(b).

Please contact the undersigned should you have any questions regarding this request. As provided by the FOIA, 5 U.S.C. § 552(a)(6)(A)(i), I look forward to a reply within twenty working days. We would appreciate a "rolling release" of responsive documents as they become available in order to expedite our receipt of this important information. Thank you in advance for your assistance.

Sincerely,



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