



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



IN REPLY REFER TO:  
FWS-2019-00595

1 Wildlife Drive  
Sanibel, Florida 33957

February 18, 2021

Email: [70979-69842753@requests.muckrock.com](mailto:70979-69842753@requests.muckrock.com)

Jimmy Tobias  
The Guardian  
411A Highland Ave  
Sommerville, Massachusetts 02144-2516

Dear Mr. Tobias:

The United States Fish and Wildlife Service (FWS), Atlanta Regional FOIA office received your Freedom of Information Act (FOIA) request on March 26, 2019 and assigned it control number FWS-2019-00595. Please cite this number in any future communications with our office regarding your request.

In your request, you asked for the following records from January 20, 2017 to present:

1. *All records, including work plans, memorandums, guidances, or instructions, related to any draft environmental impacts statements, environmental impact statements, habitat conservation plans, incidental take permits or other crucial policy decisions concerning the Florida panther, an endangered species.*
2. *All written or electronic communications, including attachments and text messages, between Region 4 Supervisor Leo Miranda (or his executive assistants) and any person who:*
  - i. *Has, at any time since January 20, 2017, been a political appointee (including without limitation any government employee that was appointed by the President, any government employee that was appointed by the Secretary or Administrator of a federal agency, any government employee that has held a Schedule C position, or any employee who has worked in the Executive Office of the President);*
  - ii. *Has, at any time since January 20, 2017, held a position listed in any version of the document "United States Government Policy and Supporting Positions," otherwise known as the "Plum Book," whether or not the person's actual name appears in a version of the Plum Book;*
  - iii. *Whose hiring was coordinated with the Presidential Personnel Office; or*
  - iv. *Who, as a part of their job responsibilities with the Service, communicates with elected officials or their offices.*

3. *This request seeks communications and other records specifically concerning the Florida panther.*
4. *This request seeks records produced between January 20, 2017 and the date this request is processed.*

### Response

On June 6, 2019, you modified Item 3 to read “This request only seeks records specifically pertaining to the Eastern Collier Multi-Species Habitat Conservation Plan, or any related draft biological opinions, final biological opinions, draft environmental impact statements, environmental impact statements or species status assessments, as well as similar records pertaining to the Florida panthers status and habitat in Collier County.

We are writing today to partially respond to your request on behalf of the Fish and Wildlife Service. We have partially responded to this request on October 27, 2020 and February 9, 2021.

At this time we are providing you with a link in which the Field Office posted any releasable documents related to the EIS and HCP up until October 31, 2017. The information can be located at:  
<https://ecos.fws.gov/ServCat/Reference/Profile/111968>.

Because this is our third interim response to your request, we will provide notice of your appeal rights in our final response letter.

### 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.

If you have any questions, please contact me by phone at (404) 679-4104 or by email at [tiffany\\_mcclurkin@fws.gov](mailto:tiffany_mcclurkin@fws.gov). Thank you for contacting the U.S. Fish and Wildlife Service.

Sincerely,

2/18/2021

**X** Tiffany McClurkin

Tiffany McClurkin  
Atlanta Regional FOIA Coordinator  
Signed by: TIFFANY MCCLURKIN