



FOIA R4, FW4 <foiar4@fws.gov>

[EXTERNAL] FOIA request

1 message

Clements, E. Carter Chandler <eclements@hunton.com>

Fri, Aug 30, 2019 at 5:49 PM

To: Tiffany McClurkin <foiar4@fws.gov>

Cc: "Dell, David" <david_dell@fws.gov>, Constance Cassler <Constance_Cassler@fws.gov>

Ms. McClurkin,

Attached please find a FOIA request for records relating to the Eastern Collier Multiple Species Habitat Conservation Plan and associated applications for incidental take permits. As indicated in the request, I would appreciate receiving documents as they are collected and become available. A hard copy of the request will follow by mail.

Please do not hesitate to contact me with any questions regarding this request. Thank you, and best regards.

**E. Carter Chandler Clements**

Counsel

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FOIA Request (August 2019).pdf

1944K

August 30, 2019

Via U.S. Mail and Electronic Mail

Tiffany McClurkin, FOIA Coordinator
U.S. Fish and Wildlife Service
1875 Century Boulevard
Atlanta, GA 30345
foiar4@fws.gov

Re: Freedom of Information Act Request – Eastern Collier Multiple Species Habitat Conservation Plan

Dear Ms. McClurkin:

In June 2010, several landowners in Collier County, Florida (the Applicants) submitted applications for incidental take permits (ITPs) pursuant to section 10 of the U.S. Endangered Species Act in connection with the proposed Eastern Collier Multiple Species Habitat Conservation Plan (ECMSHCP), which is currently under review by the U.S. Fish and Wildlife Service (USFWS).¹

Pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and USFWS's FOIA regulations, 43 C.F.R. Part 2, I respectfully request copies of all records related to correspondence or communications (whether maintained in hard copy or electronic format) with or concerning federally-recognized tribes or their representatives related to the ITP applications and/or the ECMSHCP, including, but not limited to, correspondence or communications with the Seminole Tribe of Florida and the Miccosukee Tribe of Indians of Florida.

¹ The Applicants filed updated applications with USFWS in August and September 2018 at the request of USFWS personnel, using an updated ITP application form issued in 2018, for the purpose of confirming contact information for the Applicants and providing updated contact information to the extent necessary. The Applicants include Alico Land Development, Inc.; Barron Collier Partnership, LLLP; Collier Enterprises Management, Inc.; Consolidated Citrus LP; English Brothers Partnership; Half Circle L Ranch LLP; Heller Bros. Packing Corp.; JB Ranch I, LLC; Owl Hammock Immokalee, LLC; Pacific Land, Ltd.; and Sunniland Family Limited Partnership.

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Please direct copies of all responsive documents² to me at the address above. Please provide responsive materials as they are collected and become available.

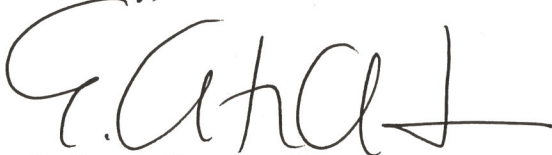
If an exemption or denial under FOIA is claimed, I request that you provide all non-exempt portions of such records. I further request that, regardless whether the disclosure of a record is denied in whole or in part, USFWS provide me with the following information regarding such withheld records or portions thereof:

1. The title of the record;
2. The date of the record;
3. A description of the general nature and subject matter of the record;
4. The identity of the author or authors of the record;
5. The identity of all persons who received the record; and
6. The reasons for the claim of exemption.

I am willing to pay appropriate fees attributable to this request and to make whatever payment arrangements are necessary. However, please contact me if you estimate that the fees will exceed \$2,000. I request that these documents be provided either in hard copy or in electronic format (either Word or Adobe pdf), whichever is less expensive.

Thank you for your attention to this request. If you have any questions, please do not hesitate to contact me.

Sincerely,



E. Carter Chandler Clements

² The term "documents" as used herein includes originals, non-identical copies and drafts, printed, reproduced by hand or otherwise, and includes, but is not limited to, correspondence, letters, memoranda, notes, emails, inter- or intra-office, agency, or departmental communications, records, summaries of personal or telephone conversations or interviews, minutes or records of meetings or conferences (including meetings of boards, committees, sub-committees, or any individual member thereof), press releases, telegrams, telexes, books, preliminary and final reports, logs, diaries, audio recordings, video recordings, computer files, charts, notebooks, calendars, statistical statements, tables, tabulations, calculations, data, diagrams, plans, drawings, blueprints, and orders, opinions or reports of consultants, experts, engineers, accountants or analysts.

HUNTON
ANDREWS KURTH

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cc: Mr. David Dell
Regional HCP Coordinator
Southeast Region, Ecological Services
U.S. Fish and Wildlife Service
1875 Century Boulevard
Atlanta, GA 30345

Dr. Constance Cassler
Supervisory Fish and Wildlife Biologist
South Florida Ecological Services Office
U.S. Fish and Wildlife Service
1339 20th Street
Vero Beach, FL 32960