



United States Department of the Interior
FISH AND WILDLIFE SERVICE



IN REPLY REFER TO:

FWE/SE/Legislation--FOIA
Mail Stop 60153

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225

STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228

MAY 11 1990

RECEIVED

MAY 15 1990

Michael C. Creamer, Attorney
Givens, Pursley, Webb & Huntley
Suite 200, Park Place
277 No. 6th Street
Boise, Idaho 83701

Clive Givens, Attorney

Dear Mr. Creamer:

This responds to your April 25, 1990, Freedom of Information Act request to Mr. John Turner, Director of the U.S. Fish and Wildlife Service, and to Mr. Galen Buterbaugh, Regional Director, Region 6, of the U.S. Fish and Wildlife Service. Your request also was sent to the Regional Director in Portland, Oregon. They are responding to your request under separate cover.

Specifically, your request was for all documents and/or communications in any way relating to the Idaho Chapter of the Wildlife Society's petition to list the Rocky Mountain population of trumpeter swans as a threatened species, and any actions of the Service taken pursuant to that request. It was further noted that your request is intended to elicit documents or communications that have not been previously provided to The Wildlife Society. We have reviewed the files in our office, and documents relevant to your request are enclosed (see enclosed list). We are withholding only one document of communications that may be within the scope of your request. The document is a handwritten note from the Chief of Endangered Species and Environmental Contaminants to the Regional Director, Region 6, dated February 9, 1990. Disclosure of this document would inhibit open and candid discussion necessary to the decision-making process (Exemption 5 of the Freedom of Information Act (5 U.S.C. 552(b)(5) and 43 CFR 2.13(c)(5))). This document is being withheld because it reflects preliminary staff recommendations and deliberative matter prepared in reaching a decision by the Service.

You may appeal this decision to the Assistant Secretary of the Interior--Policy, Management and Budget by writing to:

Freedom of Information Act Appeals Officer
Office of the Assistant Secretary--Policy
Management and Budget
U.S. Department of the Interior
Washington, D.C. 20240

FREEDOM OF INFORMATION ACT REQUEST

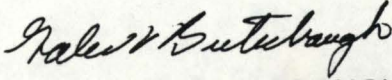
Michael C. Creamer, Attorney

2

Your appeal must be received within 20 days (Saturdays, Sundays, and public legal holidays excepted) after the date of this letter. Copies of your original request and this response must accompany your letter with the legend "FREEDOM OF INFORMATION APPEAL." To ensure the expeditious processing and full consideration of your appeal, please include a brief statement setting forth the basis for your belief that this decision is in error.

The fee waiver has been granted. We are hopeful this information will be of assistance to you. If you have any questions regarding the enclosed documents, please contact Mr. Larry Shanks at the letterhead address, or telephone (303) 236-7398.

Sincerely,


GALEN L. BUTERBAUGH
Regional Director

Enclosures

cc: Regional Director, Region 1
w/enclosures

FREEDOM OF INFORMATION ACT REQUEST