

DOI-FWS-2023-002181 request Details

Due Date: 03/22/2023 Clock Days: 4

Requester Information

Requester	Dr. Darlene Schanfald	Tracking Number	DOI-FWS-2023-002181
Organization	Olympic Environmental Council	Submitted Date	01/30/2023
Requester Has Account	No	Received Date	01/30/2023
Email Address	PPF@olympus.net	Perfected Date	02/22/2023
Phone Number	3606817565	Last Assigned Date	02/22/2023
Fax Number		Assigned To	FWS FOIA Intake (United States Fish and Wildlife Service)
Address	160 Kane Lane	Last Assigned By	Stacey Cummins (United States Fish and Wildlife Service)
City	SEQUIM	Request Track	Complex
State/Province	WA	Fee Limit	\$50.00
Zip Code/Postal Code	98382		

Request Handling

Requester Info Available to the Public	Yes	Request Type	FOIA
Request Track	Complex	Request Perfected	Yes
Fee Category	Other	Perfected Date	02/22/2023
Fee Waiver Requested	Yes	Acknowledgement Sent Date	02/22/2023
Fee Waiver Status	Full Grant	Unusual Circumstances	No
Expedited Processing Requested	Yes	Litigation	No
Expedited Processing Status	Deny	Court Docket Number	
		5 Day Notifications?	No

Description

Long Description

This is a request for all documents between the USFWS and the Jamestown S'Klallam Tribe (JST) related to the Dungeness National Wildlife Refuge be sent electronically. This should include all communications during 2022 through today, January 29, 2023: emails, land-mailed documents, tweets, texts, phone calls, meeting agendas and minutes, and any other communications. The information will be in USFWS national headquarters, the regional office, and the local Refuge office. Remitting the information electronically will save the agency money not having to print, stamp and mail. Thank you.

Has Description Been Modified

Yes

Long Description Modified

all documents between the USFWS and the Jamestown S'Klallam Tribe (JST) related to the Dungeness National Wildlife Refuge including all communications during 2022 through today, January 29, 2023: emails, land-mailed documents, tweets, texts, phone calls, meeting agendas and minutes, and any other communications.

Description Available to the Public

Yes

Short Description

Dungeness NWR

Additional Information

Relevant park or refuge or site or other location R1 NWRS Dungeness NWR

Attached Supporting Files

Attachments Available to the Public?

No

Attached File Name

Size (MB)

File Type

No supporting files have been uploaded.

Appeals

Tracking Number	Appeal Date	Appellant	Phase	Notification
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No appeals have been created.

Consultations

Tracking Number	Consulted Agency	Created By	Consultation Date	Due Date	Phase
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No consultations have been created.

Correspondence to Requester

Subject	From	To	Date
FOIA Fee Waiver Disposition Reached for DOI-FWS-2023-002181	System	Dr. Darlene Schanfald	02/15/2023

Your request for Fee Waiver for the FOIA request DOI-FWS-2023-002181 has been fully granted. Additional details for this request are as follows:

- Request Created on: 01/30/2023
- Request Description: This is a request for all documents between the USFWS and the Jamestown S'Klallam Tribe (JST) related to the Dungeness National Wildlife Refuge be sent electronically. This should include all communications during 2022 through today, January 29, 2023: emails, land-mailed documents, tweets, texts, phone calls, meeting agendas and minutes, and any other communications. The information will be in USFWS national headquarters, the regional office, and the local Refuge office. Remitting the information electronically will save the agency money not having to print, stamp and mail.
Thank you.
- Fee Waiver Original Justification: We request a fee waiver. Our small, rural non-profit believes the requested data is critical information that should have been shared before with the public. It wasn't. The public should not be taxed to receive this information.
- Fee Waiver Disposition Reason: N/A

FOIA Request DOI-FWS-2023-002181 Submitted	System	Dr. Darlene Schanfald	01/30/2023
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This message is to confirm your request submission to the FOIAonline application: [View Request](#). Request information is as follows:

- Tracking Number: DOI-FWS-2023-002181
- Requester Name: Dr. Darlene Schanfald
- Date Submitted: 01/30/2023
- Request Status: Submitted
- Description: This is a request for all documents between the USFWS and the Jamestown S'Klallam Tribe (JST) related to the Dungeness National Wildlife Refuge be sent electronically. This should include all communications during 2022 through today, January 29, 2023: emails, land-mailed documents, tweets, texts, phone calls, meeting agendas and minutes, and any other communications. The information will be in USFWS national headquarters, the regional office, and the local Refuge office. Remitting the information electronically will save the agency money not having to print, stamp and mail.
Thank you.

FOIA Request DOI-FWS-2023-002181 Modified	System	Dr. Darlene Schanfald	02/22/2023
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The FOIA request - DOI-FWS-2023-002181 description has been modified. Additional details for this item are as follows:

- Tracking Number: DOI-FWS-2023-002181
- Requester: Dr. Darlene Schanfald
- Submitted Date: 01/30/2023
- Description: all documents between the USFWS and the Jamestown S'Klallam Tribe (JST) related to the Dungeness National Wildlife Refuge including all communications during 2022 through today, January 29, 2023: emails, land-mailed documents, tweets, texts, phone calls, meeting agendas and minutes, and any other communications.

Acknowledgment DOI-FWS-2023-002181	Stacey Cummins	Dr. Darlene Schanfald	02/22/2023
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The United States Fish and Wildlife Service (FWS) FOIA office received your Freedom of Information Act (FOIA) request, dated 01/30/2023, and assigned it control number DOI-FWS-2023-002181. Please cite this number in any future communications with our office regarding your request.

Fee Category and Fee

We have classified you as an "other-use" requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free. See 43 C.F.R. §2.39.

You have asked us to waive the fees for processing your request. Our FOIA regulations state that bureaus will waive, or partially waive, fees if disclosure of all or part of the information is:

- (1) In the public interest because it is likely to contribute significantly to public understanding of government operations or activities, and
- (2) Not primarily in your commercial interest.

See 43 C.F.R. § 2.45(a). Our FOIA regulations also provide four specific criteria that are used to determine whether these two requirements are met. See 43 C.F.R. § 2.48(a). Your request meets the requirements, and your fee waiver has been granted.

Multitrack Processing

We use Multitrack Processing to process FOIA requests. The Simple track is for requests that would generally take one to five workdays to process. The Normal track is for requests that would generally take six to twenty workdays to process. The Complex track is for requests that would generally take twenty-one to sixty workdays to process. The Extraordinary track is for requests that would generally take more than sixty workdays to process. The Expedited track is for requests that have been granted expedited processing, which are processed as soon as practicable. Within each track, requests are usually processed on a first-in, first-out basis. Your request falls into the extraordinary processing track. There are 93 requests pending ahead of yours in this processing track.

Because we will need to search for and collect requested records from field facilities or other units that are separate from the office processing the request,, we are taking a [Number greater than 40-workday extension under 43 C.F.R. § 2.19(b)]. We therefore expect that we will dispatch a determination to you by May 18, 2023.

Expedited Process Request

You have asked for expedited processing of your FOIA request. The Department's FOIA regulations state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester's knowledge and belief. The two criteria are as follows:

Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or

There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.) 43 C.F.R § 2.20.

Your request does not contain enough evidence to support either of these criteria because it does not show evidence that it poses an imminent threat to life and does not show that the information has a particular value that will be lost if not disseminated quickly. Your request for expedited processing therefore has been denied.

Mediation/Dispute Resolution

You may contact us at fwhq_foia@fws.gov for assistance with your request. If after contacting us, you need further information or assistance with your request, you may wish to seek dispute resolution services from the Department's FOIA Public Liaison, Natasha Jones by email at doifoiapublicliaison@sol.doi.gov.

If you need further information or assistance after contacting the Department's FOIA Public Liaison, you may wish to seek dispute resolution services from the Office of Government Information Services (OGIS). The 2007 FOIA amendments created the OGIS to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://www.archives.gov/ogis>

Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

Appeal Rights

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA **appeal as soon as possible after this communication**. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe this response is in error. You must also include with your appeal copies of all correspondence between you and FWS concerning your FOIA request, including your original FOIA request and this response. Failure to include with your appeal all correspondence between you and FWS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior
Office of the Solicitor
1849 C Street, N.W.
MS-6556 MIB
Washington, DC 20240
Attn: FOIA/Privacy Act Appeals Office
Telephone: (202) 208-5339
Fax: (202) 208-6677
Email: FOIA.Appeals@sol.doi.gov

Thank you for your interest in the Service. If you have any questions, you may contact us by email at fwhq_foia@fws.gov, or by mail at U.S. Fish and Wildlife Service; ATTN: FOIA Office; 5275 Leesburg Pike; MS: IRTM; Falls Church, VA 22041.

FOIA Expedited Processing Disposition Reached for DOI-FWS-2023-002181	System	Dr. Darlene Schanfald	02/15/2023
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Your request for Expedited Processing for the FOIA request DOI-FWS-2023-002181 has been denied. Additional details for this request are as follows:

- Request Created on: 01/30/2023
- Request Description: This is a request for all documents between the USFWS and the Jamestown S'Klallam Tribe (JST) related to the Dungeness National Wildlife Refuge be sent electronically. This should include all communications during 2022 through today, January 29, 2023: emails, land-mailed documents, tweets, texts, phone calls, meeting agendas and minutes, and any other

communications. The information will be in USFWS national headquarters, the regional office, and the local Refuge office. Remitting the information electronically will save the agency money not having to print, stamp and mail.

Thank you.

- Expedited Processing Original Justification: This is a public site financed by the public. There has been ongoing activity out of public view that has kept the public in the dark that affects the public. There is an urgency to inform the public concerning actual activity between the Service and the JST in that this is critical information for Refuge volunteers, neighbors of the Refuge, visitors to the Refuge, and others. the request is made by a person primarily engaged in disseminating information. Information should no longer be held from the public. Hence, we believe this request should be expedited.
- Expedited Processing Disposition Reason: You have asked for expedited processing of your FOIA request. The Department's FOIA regulations state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester's knowledge and belief. The two criteria are as follows:
Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or
There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.) 43 C.F.R § 2.20.

Your request does not contain enough evidence to support either of these criteria because it does not show evidence that it poses an imminent threat to life and does not show that the information has a particular value that will be lost if not disseminated quickly. Your request for expedited processing therefore has been denied.

Other Correspondence

Attached File

File Type

Size (MB)

No correspondence has been created.

Fee Estimates

Current Estimate Total \$0
Date Estimate Sent to Requester N/A
Estimate Required for Payment N/A

Invoices

Sent

Title

Invoice Date

Amount

No invoices have been created.

**Total Amount Billed Which Has
Been Sent To Requester** \$0.00

Payments

Date

Amount

Type

Total Amount Paid

\$0.00

Total Amount Owed

\$0.00

No payments have been added.

Case Responsive Records

Publish Options:

UU - Unredacted - Unreleaseable

RU - Redacted - Unreleasable

**UR - Unredacted - Releaseable to the
General Public**

**RR - Redacted - Releaseable to the General
Public**

REQ - Release to Requester Only

Release Type	Title	User	Date/Time	Exemptions	Release Date
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No records have been uploaded.

Restricted Materials

Attached File Name	Size (MB)	File Type	User	Actual Agency	Date/Time
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No restricted materials have been added.

Existing Admin Costs

Date	User Name	Charge Type	Hours/Quantity	Rate	Billable?	Total
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No cost entries have been added.

Fee Category: Other

Total: \$0.00

Invoice Amount: \$0.00

Assigned Tasks

Outcome	Task Type	Assigned To	Assigned By	Submitted Date	Due Date	Closed Date	Notification	Justifica
Full Grant	Fee Waiver	FWS	Dr. Darlene Schanfald	01/30/2023	01/30/2023	2023-02-15T05:00:00.000Z	No	

Requester Justification We request a fee waiver. Our small, rural non-profit believes the requested data is critical information that should have been shared before with the public. It wasn't. The public should not be taxed to receive this information.

Deny	Expedited Processing	FWS	Dr. Darlene Schanfald	01/30/2023	02/09/2023	2023-02-15T05:00:00.000Z	No	
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Requester Justification This is a public site financed by the public. There has been ongoing activity out of public view that has kept the public in the dark that affects the public. There is an urgency to inform the public concerning actual activity between the Service and the JST in that this is critical information for Refuge volunteers, neighbors of the Refuge, visitors to the Refuge, and others. the request is made by a person primarily engaged in disseminating information. Information should no longer be held from the public. Hence, we believe this request should be expedited.

Decision You have asked for expedited processing of your FOIA request. The Department's FOIA regulations state that a bureau will provide expedited processing when a requester demonstrates a compelling need for the records by explaining in detail how the request meets one or both of the criteria below and certifying the explanation is true and correct to the best of the requester's knowledge and belief. The two criteria are as follows: Failure to expedite the request could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or There is an urgency to inform the public about an actual or alleged government activity and the request is made by a person primarily engaged in disseminating information. (The requested information must be the type of information that has particular value that will be lost if not disseminated quickly; this ordinarily refers to a breaking news story that concerns a matter of public exigency. Information of historical interest only or information sought for litigation or commercial activities would not qualify, nor would a news media deadline unrelated to breaking news.) 43 C.F.R § 2.20. Your request does not contain enough evidence to support either of these criteria because it does not show evidence that it poses an imminent threat to life and does not show that the information has a particular value that will be lost if not disseminated quickly. Your request for expedited processing therefore has been denied.

Existing Comments (1)

Date Created	Last Edited On	User Name
2023-02-22T23:53:18.454Z	2023-02-22T23:53:18.454Z	Stacey Cummins

Comment	ack sent 2/22/2023; send to R8 Refuges and assign to Marti	

Assigned Reviewers

Review Order

Review Outcome

Assigned Reviewer

Review Date

No reviewers have been assigned.
