



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1201 NE Lloyd Boulevard, Suite 1100
PORTLAND, OREGON 97232-1274

Bonneville Power Administration
Attn: Gene Tollefson
905 NE 11th Ave.
Portland, OR 97232-3601
telephone number: (503) 230-4444

August 18, 2010

RECEIVED BY BPA FOIA OFFICE THIS DATE: 8/19/10
DUE DATE: 9/17/10
LOG # BPA-2010-01944-F

Re: Freedom of Information Act (NOAA Request #2010-00253)

Dear Ms. Tollefson:

Enclosed you will find a copy of a request for documents under the Freedom of Information Act (FOIA), 5 USC 552, made by Ms. Kristen F. Ruether associated with Advocates of the West, addressed to the National Marine Fisheries Service (NOAA Fisheries). The requester asks for records relating to all consultation documents, communications regarding consultation and monitoring and documentation regarding stream conditions, or fish for activities within the Pahsimeroi River watershed since July 21, 2008.

We found one responsive documents that are the exclusive or a primary concern of the Bureau of Land Management (BLM). Per our governing regulations, 15 C.F.R. part 4, we hereby refer the requester to you for further action related to these documents (enclosed).

Thank you for your attention to this matter. Please do not hesitate to call me at (503) 230-5421, should you have questions.

Sincerely,


Sheryl Robinson
FOIA Coordinator
NMFS NWR

Enclosures





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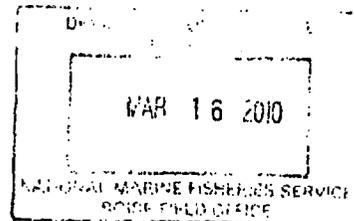
ISHO File Copy

P.O. Box 1612, Boise, ID 83701
Phone: 208-342-7024
Fax: 208-342-8286
www.AdvocatesWest.org

March 15, 2010

VIA U.S. CERTIFIED MAIL

David Mabe, Idaho State Habitat Director
NMFS Boise Field Office
10095 W Emerald Street
Boise, ID 83704-8901



Re: FOIA Request – Pahsimeroi River Watershed

Dear Mr. Mabe:

This is a request under the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, as amended, made on behalf of Western Watersheds Project (“WWP”).

Pursuant to the FOIA, please send WWP copies of the following records:

1. All consultation documents, communications regarding consultation, and monitoring and documentation regarding stream conditions, range conditions, or fish for activities within the Pahsimeroi River watershed since July 21, 2008.

Scope

If you have questions as to the scope of this request, please contact the undersigned. If you believe any portion of this request is exempt from disclosure under FOIA please provide a brief description of each withheld document and the legal basis for withholding such document.

Fees

WWP requests a waiver of search and copy costs related to the above request. WWP is a 501(c)(3) non-profit organization dedicated to protecting and conserving the public lands and natural resources of watersheds in the American West. WWP has over 1400 members, including many members who live in Idaho. WWP is active in seeking to protect and improve riparian areas, water quality, fisheries, wildlife, and other natural resources and ecological values of western watersheds, including within the public lands within the Pahsimeroi River watershed. To do so, WWP actively participates in agency decision-making concerning public lands throughout the West, particularly with respect to management of livestock grazing.

One of the core aspects of WWP’s mission is to educate the public about the natural wonders of the West, and about land, resource and wildlife decisions made by government, private, and other entities that affect the natural environment and wildlife. WWP is effective at

increasing public awareness of environmental matters, such as protection of watersheds from impacts of livestock grazing, through public education and outreach, participation in administrative processes, litigation and other enforcement of federal environmental laws.

The requested records concern government activities regarding livestock management on fisheries and watersheds within the Pahsimeroi River watershed. The information requested will help WWP and the public understand what effect grazing is having on the affected fisheries and watersheds, and whether NMFS and the action agencies have complied with all statutory and regulatory requirements. The public has a great interest in preserving natural resources, and thus a great interest in determining whether federal agencies are making management decisions that protect these resources. The public also has an interest in knowing whether federal agencies are complying with all required standards and laws and properly managing public lands to avoid degradation and damage.

WWP will use the requested information to contribute to the public's understanding of grazing management decisions and their impacts on fisheries and public lands within the Pahsimeroi by analyzing the information and presenting it to the public. WWP has staff members who are familiar with agency practices and who have scientific backgrounds providing expertise in range and wildlife management. These staff have the expertise and capability to assess, analyze, and summarize the requested management and scientific documents and then use that information to inform the public about public land management practices and conditions of watersheds on federal lands. WWP has the ability to disseminate this information to the public both orally and in written form through reports, news articles, and presentations.

WWP uses the media to spread information to the public, with news articles appearing in papers across the West discussing WWP's work and grazing issues with which WWP is involved. WWP has over 400 media contacts throughout the nation to ensure media attention for its work. In addition to the media, WWP participates in conferences where it disseminates information about its work to scientists, lawyers, and conservationists. It participates in educational outreach such as presentations to high school students, issues written reports on grazing impacts that it disseminates at conferences or other meetings across the West, and distributes a newsletter four times a year that discusses its current work. Finally, it also disseminates information through its website and email notices. The website contains press articles, updates on WWP's current work, information about government activities and management decisions, as well as research reports and scientific articles. Many of the reports and articles that WWP distributes are based on information obtained through FOIA requests.

As one of the few organizations specifically dedicated to the preservation and protection of the lands and waters on public lands from the impacts of livestock grazing, WWP is an important hub of information for both its members and the general public who have an interest in the health and management of our public lands.

The disclosure of the requested documents to WWP will significantly contribute to public understanding of government activities because these documents are not readily available to the public without such a request. These are not the type of documents the agency routinely publicizes or otherwise broadly disseminates to the public on a normal basis. Thus, a FOIA

request is required to obtain the documents. In addition, WWP will use its skills and expertise to analyze these documents, which are often complex and difficult to understand without special training or experience, to assess NMFS's and the action agencies' management decisions, their compliance with standards and other requirements, and the effects of grazing on endangered species in the Pahsimeroi watershed. It is the product of this analysis that will significantly contribute to the public's understanding of whether the federal agencies are properly managing the lands and resources. WWP's sole interest in requesting these documents is to further its mission of protecting watersheds in the Interior West, and to educate its members and the general public to enable and empower them to advocate for this protection. WWP is a non-profit, public interest organization and has no commercial or profit interest in this information.

Please send the documents to WWP; c/o Advocates for the West; P.O. Box 1612; Boise, ID; 83701. If you have any questions about this request, please feel free to contact me. Thank you very much.

Sincerely,



Kristin F. Ruether
Advocates for the West
Attorney for Western Watersheds Project