

From: Cooper, Rebecca rcooper@mt.gov
Subject: RE: Right to Know request: public comments on Montana's Proposal to Allow for Bison to Occupy Suitable Habitat Year-Round in Montana
Date: November 1, 2013 at 8:19 AM
To: Darrell Geist z@wildrockies.org
Cc: Flowers, Pat PFlowers@mt.gov

Good morning Mr. Geist –

Thank you for your patience for a reply on your request for information. Your request was approved by the Director. However, after rereading our email string, including Pat's responses, it appears there is a bit of misinformation that needs to be corrected before we proceed.

For clarification, under the previous FWP administration fees were set for responding to public requests for department information that are consistent with fees charges by other state agencies for similar requests. The fees associated with fulfilling public requests may be charged to the requester per sections 2-6-102(2) and 2-6-110(2) MCA. Fee rates can range from \$14.32/hour to \$55.38/hour depending on the staff required to fulfill the request. Per the policy, the requestor must agree in writing to an estimated cost prior to the work being started and all expenses are to be reimbursed on the actual cost of fulfilling the public records request. Payment for the public records request must be made in advance, with the requestor informed if the fulfillment of the request is projected to exceed the estimated costs. The requestor must agree in writing to the new estimate of costs before work continues. Specific to your request for copies of all the comments received for the Bison Habitat EA, the hourly rate that would be charged would be \$25.48, which was approved by the Director.

Before you commit, I feel additional information will be useful. FWP received over 100,000 comment emails/letters for the EA. It has taken approximately one month to log 63,000 emails/letters with many more still to be processed. So far, less than 0.01% of those email/letters are unique; the overwhelming majority are form letters from numerous non-profit organizations. Your request for all the comment emails/letters would require the manual redaction of personal information per department policy (e.g. physical address and phone numbers) from those documents and nearly all the form letters have physical addresses included with them.

As a suggested alternative to your request for copies of all the comment emails/letters, FWP would provide you copies of all the unique comment emails/letters, sample copies of the different form letters, and a Excel spreadsheet reflecting all the respondents; their names, email address, city and state of residence, or if their location is unknown, as well as which type of comment was received from that person (e.g. unique vs. which organization's form letter). There would be no fee charged for a CD with these materials since scanning of the unique comment emails/letters and the spreadsheet are already part of the document management process for the EA.

Please let me know which of the two options you would like to proceed with. If it is to proceed with your original request, I will prepare an estimated cost for your approval and payment. If the alternative option is selected, I will send you the CD with the previously described materials as soon as the logging process has been completed.

Rebecca Cooper
MFWP

From: Darrell Geist [mailto:z@wildrockies.org]

Sent: Thursday, October 03, 2013 10:42 AM

To: Cooper, Rebecca

Cc: Darrell Geist

Subject: Re: Right to Know request: public comments on Montana's Proposal to Allow for Bison to Occupy Suitable Habitat Year-Round in Montana

Thanks Rebecca.

We are looking to get an electronic copy of all logged comments FWP/DOL will review. In other words, when FWP has logged and electronically organized comments received, that is what we would like to get a copy of.

In our last request for a copy of comments submitted, FWP was able to handle the request by making a CD or DVD of what it had in its files.

We are more than happy to wait until FWP has all of the comments electronically organized and available. This should reduce any cost to burning disc(s). I'm attaching Pat's response to a similar request last year. Darrell

Hi Darrell,

I found out we now have all comments electronically. So I just have to charge you for the cost of the disk(s). Let me know if that works for you.

Cheers,
Pat

On Oct 2, 2013, at 2:42 PM, "Cooper, Rebecca" <rcooper@mt.gov> wrote:

Mr. Geist,

I'll following-up on a request for information you submitted to Pat Flowers. As per FWP policy, your request will be forwarded to our director for review. Once approval has been provided, your request will be processed. A fee maybe charged depending the complexity and staff time needed to complete the request.

As a point of clarification, when you refer to "copy of comments submitted" are you referring to unique comments or all comments, which include form letters. The reason I'm asking this is because FWP received an unprecedented number of comments which are still in the process of being logged. A very rough estimate of the number of comments received is 100,000.

Please let me know your preference and your request will be to be processed.

Rebecca Cooper
MFWP, Helena

From: Flowers. Pat

Sent: Wednesday, October 02, 2013 2:24 PM

To: Cooper, Rebecca

Subject: FW: Right to Know request: public comments on Montana's Proposal to Allow for Bison to Occupy Suitable Habitat Year-Round in Montana

Hi Rebecca,

Another request for public comments from last week. Thanks much for following up!

Cheers,

Pat

From: Darrell Geist [<mailto:z@wildrockies.org>]

Sent: Thursday, September 26, 2013 10:06 AM

To: Flowers, Pat

Cc: Darrell Geist

Subject: Right to Know request: public comments on Montana's Proposal to Allow for Bison to Occupy Suitable Habitat Year-Round in Montana

Patrick Flowers, Regional Supervisor
Bison Habitat Bison EA
Montana Fish, Wildlife and Parks
PO Box 200701
Helena MT 59620
(406) 994-4042

Dear Pat,

On behalf of Buffalo Field Campaign a West Yellowstone based nonprofit incorporated in Montana for public interest purposes, I am making a public right to know request for records under Article II, section 9, MCA 2-6-101.

Specifically, Buffalo Field Campaign is seeking a copy of comments submitted on Montana's Proposal to Allow for Bison to Occupy Suitable Habitat Year-Round in Montana On Lands Near the Border of Yellowstone National Park.

Buffalo Field Campaign has already received, in electronic form, a copy of scoping comments submitted by the public. This right to know request is for comments submitted to Montana on its environmental analysis, comment period ending September 13, 2013.

Like our previous request, Buffalo Field Campaign would prefer to receive records in electronic form on a CD to reduce costs and agency time. Please let me know of the availability of the records requested. Thank you.

Darrell Geist
Habitat Coordinator
Buffalo Field Campaign

PO Box 957
West Yellowstone MT 59758
phone: (406) 646-0070
fax: (406) 646-0071
email: z@wildrockies.org
<http://www.buffalofieldcampaign.org/habitat.html>

Are wild buffalo a threat to Montana's
economy? <http://www.buffalofieldcampaign.org/faq/wildeconomy.html>

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