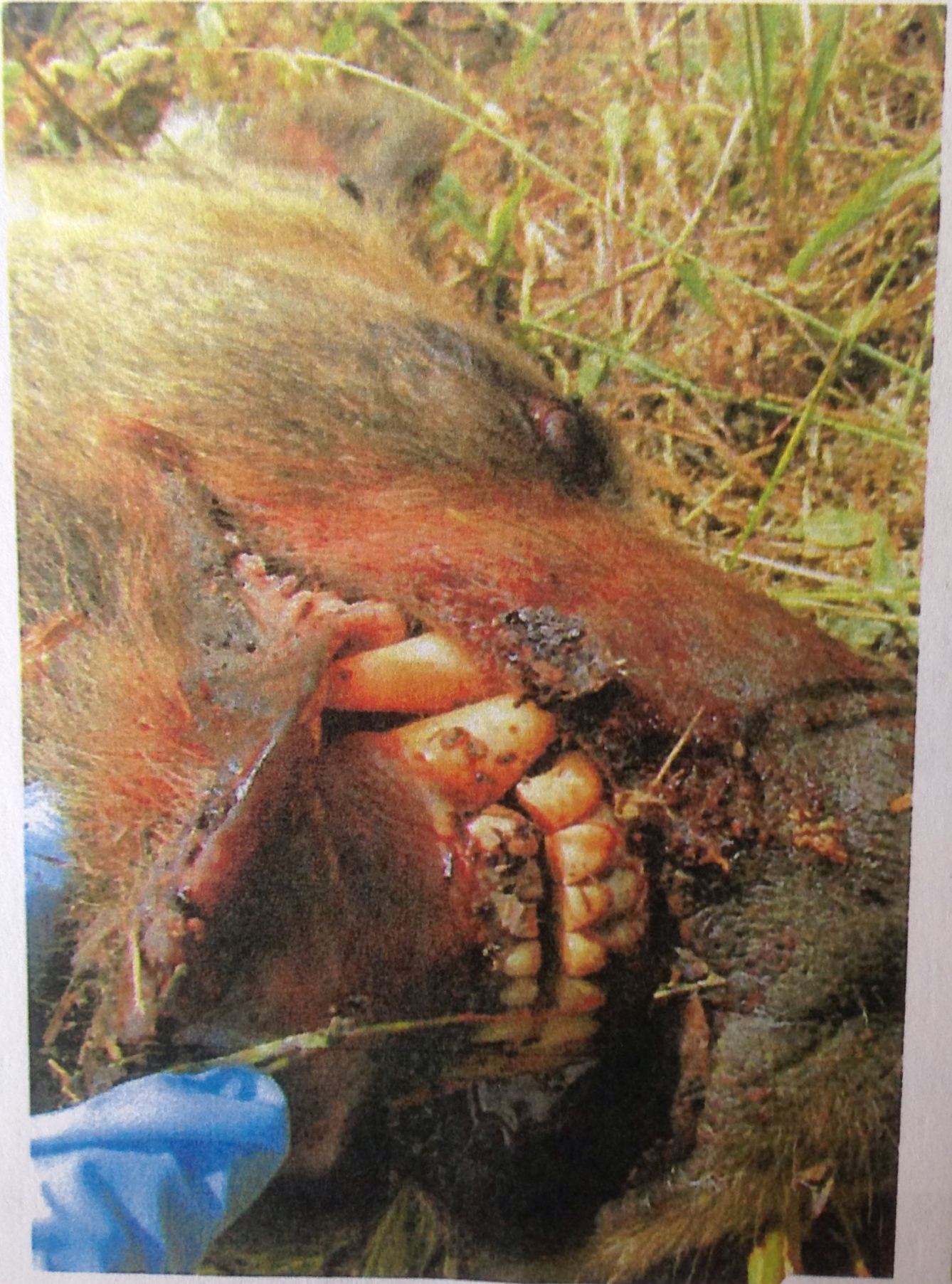


EXHIBIT 15





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Office of Law Enforcement
4401 N. Fairfax Drive (LE-3000)
Arlington, VA 22203



In Reply Refer To:
FWS/LE ADM 4-08-2014-00344

MAR 26 2014

Mr. John Meyer
Cottonwood Environmental Law Center
24 S Wilson Ave
Suite 6-7
Bozeman, MT 59715

Dear Mr. Meyer:

This letter acknowledges receipt of, and completes our response on behalf of the U.S. Fish and Wildlife Service's Office of Law Enforcement to, our Freedom of Information Act (FOIA) request dated September 29, 2013, seeking "electronic copy of all information regarding the recent killing/mortality of a grizzly bear in the Gravelly mountains of southwest Montana. We have a reason to believe a bear was killed after a conflict with domestic sheep on Forest Service land."

Your request was received by this office on December 12, 2013, from Ms. Antoinette Urioste, U.S. Fish and Wildlife Service's Region 6 FOIA Coordinator, and was placed in the Department of the Interior (DOI) FOIA Tracking System under reference number FWS-2014-00344. Please refer to this number in your communications regarding this request.

Enclosed are copies of responsive documents (15) pages. We have invoked the following FOIA exemptions

- Exemptions (b)(6)/(b)(7)C. Certain names and personal identifiers of any individual in law enforcement files have been withheld under 5 U.S.C. 552 § (b)(6) and § (b)(7)(C). FOIA exemptions (b)(6) and (b)(7)(C) provide protection for personal privacy interests. When a privacy interest is found to exist in the documents at issue, the public interest in disclosure must be weighed against the privacy interest in non-disclosure. Here, release of the withheld personal information would not serve any substantial public interest. Under the FOIA, information will be regarded in the public interest when it is likely to contribute significantly to public understanding of the operations or activities of the

Mr. John Meyer

Government. Since you have not provided, and we are unaware of, any substantial public interest to be served by the release of this information, this information has been withheld.

During our review we located 4 pages that originated with the U.S. Department of Agriculture, and 1 page with U.S. Department of Justice. These documents are being referred for their release determination along with a copy of your original request. You may contact these agencies at the addresses listed below.

U.S. Department of Agriculture
Animal & Plant Health Inspection Service
4700 River Road, Unit 50
Riverdale, MD 20737
Attn: Tonya Woods

U.S. Department of Justice
Office of Information Policy
1425 New York Avenue, N.W.
Suite 11050
Washington, D.C. 20530-0001
Attn: Carmen L. Mallon

Although I believe the above withholdings in no way interfere with a complete response to your request for information, you may wish to treat this as a partial denial. The decision to withhold/deny this information was made by the undersigned and approved by Johnny Hunt, Freedom of Information Act Officer, U.S. Fish and Wildlife Service, in consultation with Larry Mellinger, Attorney-Advisor, Office of the Solicitor, U.S. Department of the Interior.

You may appeal this determination under Section 2.28 - 2.30 of Title 43, Code of Federal Regulations. The FOIA Appeals Officer must receive your FOIA appeal no later than 30 workdays from the date of this final letter responding to your FOIA request. Appeals arriving or delivered after 5 p.m. E.T., Monday through Friday, will be deemed received on the next workday. Your appeal must be in writing and addressed to:

Freedom of Information Act Appeals Officer
Department of the Interior
Office of the Solicitor
1849 C Street, NW MS 6556
Washington, D.C. 20240

You must include with your appeal copies of all correspondence between you and the bureau concerning your request, including a copy of your original FOIA request and this final response letter. Failure to include this documentation with your appeal will result in the Department's

Mr. John Meyer

rejection of your appeal. The appeal should be marked, both on the envelope and on the face of the letter with the legend, "FREEDOM OF INFORMATION ACT APPEAL." Your letter should include as much detail as possible citing any reason(s) why you believe the bureau's response is in error.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552 (c) (2006 & Supp. IV 2010). This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Our cost for these documents follows:

Search/review time (professional) 1 hours @ \$42.00 per hour	=	\$42.00 Waived
Duplication of 20 pages @ \$.15 per copy	=	<u>\$3.00 Waived</u>
Total		\$45.00 Waived

All fees in this matter have been waived.

If you have any further questions relating to this response, please contact Mr. Kenneth Perry of my staff at (703) 358-1949.

Sincerely,

W *W.C. Woody*

William C. Woody
Assistant Director, Office of Law Enforcement

This document contains neither recommendations nor conclusions of the Office of Law Enforcement, U.S. Fish and Wildlife Service. It is the property of this office and is loaned to your agency. It, and its contents, are not to be distributed outside of your agency.

REPORT OF INVESTIGATION

Title: [REDACTED]

(b)(6),
(b)(7)(C)

INV#: 2013604784

Report: 2

DETAILS OF INVESTIGATION

Declined For Prosecution

Special Agent (SA) [REDACTED] discussed the case with, and provided a copy of the report of investigation to, Assistant U.S. Attorney (AUSA) [REDACTED]. On 10/29/2013, SA [REDACTED] received a declination letter (see attachment 1- Declination Letter) from AUSA [REDACTED].

This case is recommended for closure.

DESCRIPTION OF SUBJECTS

[REDACTED]

DOB: [REDACTED]
SSN: [REDACTED]

PRIOR VIOLATIONS FOUND IN LEMIS

Not applicable since no new subjects were identified.

WITNESSES

SA [REDACTED]
2900 4th Ave North, Suite [REDACTED]
Billings, MT 59101
PHONE: [REDACTED]
FAX: 406-247-7357

LAWS VIOLATED

On 08/25/2013, within the District of Montana, [REDACTED] did illegally take a grizzly bear in violation of the Endangered Species Act- 16 USC 1538(a)(1)(G). The case was declined for prosecution.

EVIDENCE

No new evidence to report.

ATTACHMENTS

- 1. Declination Letter (1 page)

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
OFFICE OF LAW ENFORCEMENT

(b)(6),
(b)(7)(C)

REPORT OF INVESTIGATION
REPORT#: 2013604784R001
APPROVED - CASE CLOSED

Note: This document contains neither recommendations nor conclusions of the Office of Law Enforcement, U.S. Fish and Wildlife Service. It is the property of this office and is loaned to your agency. It, and its contents are not to be distributed outside of your agency.

CASE TITLE [REDACTED]	REPORT DATE 09/30/2013	CASE NUMBER 2013604784
	REPORTING OFFICER [REDACTED] - SA [REDACTED]	CASE STATUS PENDING
	APPROVED BY [REDACTED] SA [REDACTED] - 11/27/2013 [REDACTED] SA [REDACTED] - 09/30/2013 [REDACTED] SA [REDACTED] - 10/23/2013	
SUBJECTS OF REPORT [REDACTED]		

SYNOPSIS

On 09/23/2013, Special Agent [REDACTED] received a report of investigation from Montana Fish Wildlife and Parks grizzly bear [REDACTED] regarding a grizzly bear take that occurred on 08/25/2013.

This report documents the investigative steps taken by Montana Fish Wildlife and Parks wardens.

DISTRIBUTION

Internal List

[REDACTED] SA [REDACTED]
[REDACTED] SA [REDACTED]
[REDACTED] SA [REDACTED]
[REDACTED] SA [REDACTED]

(b)(6),
(b)(7)(C)

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REPORT OF INVESTIGATION

Title: [REDACTED]

INV #: 2013604784

Report #: R001

DETAILS OF INVESTIGATION

Report of a Grizzly Bear Shooting

On 08/26/2013, the U.S. Fish and Wildlife Service Billings Montana Resident Office received a preliminary verbal report of a grizzly bear (*Ursus arctos horribilis*) take in the Hellroaring Creek area, Beaverhead National Forest- Madison County, Montana- from Montana Fish Wildlife and Parks (MTFWP) grizzly bear [REDACTED]. The actual incident occurred on 08/25/2013.

On 08/26/2013, MTFWP [REDACTED] and [REDACTED] traveled to the scene to investigate.

Reports Received From MTFWP

On 09/23/2013 and 09/24/2013 [REDACTED] forwarded the scene investigation report, including photographs, and a MTFWP Grizzly Bear Mortality Report (see attachment 1- MTFWP Reports and Photographs). Below is a summary of the pertinent points from their report:

On 08/26/2013, [REDACTED] and [REDACTED] traveled to the scene accompanied by the owner of the sheep herd, [REDACTED]. They met with the [REDACTED] sheep herder [REDACTED]. [REDACTED] could not speak English, so [REDACTED] translated.

[REDACTED] account of the incident

- On the night of 8/23/2013, [REDACTED] dogs engaged a grizzly bear in [REDACTED] herd of sheep and were able to successfully drive it away.
- The following morning, [REDACTED] discovered three dead sheep, partially consumed. A partially consumed sheep was approximately 50 yds from [REDACTED] camp. As directed, [REDACTED] moved [REDACTED] camp and the herd approximately 1 mile east from that spot.
- Between 2 and 4 am on 8/25/2013, [REDACTED] dogs engaged a grizzly bear approaching [REDACTED] camp area. At some point, [REDACTED] decided to shoot the bear as the engagement was continual and the bear was appearing more aggressive. [REDACTED] estimated the shot to be about 50 yds from [REDACTED] tent.
- The bear was hit and ran off with the dogs following. [REDACTED] pursued the dogs and reengaged the bear at a stand of trees east of camp and eventually fired two more shots that killed the bear.

(b)(6),
(b)(7)(C)

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REPORT OF INVESTIGATION

Title: [REDACTED]

INV #: 2013604784
Report #: R001

Scene analysis

- A grizzly bear carcass was lying about 150 yards from [REDACTED] tent at the edge of a stand of cottonwood trees.
- There were also three bullet wounds. Looking from the front of the bear, one wound was on the upper right shoulder around the base of the neck. A second wound was on the right hind quarter. A third wound was on the left flank with intestinal tissue protruding from the wound. Suggesting that the second wound may be the entry of one of the bullets and the third would be the exit wound with tissue following the bullet path out.
- A quick necropsy of the stomach contents revealed this bear had been feeding on domestic sheep as muscle tissue and wool fibers were evident and almost exclusive.

USDA Wildlife Services

On 09/25/2013, Special Agent (SA) [REDACTED] spoke to [REDACTED] USDA Wildlife Services State Director/ Supervisor. [REDACTED] reported that one of [REDACTED] investigators [REDACTED] spoke to [REDACTED] on multiple occasions just prior to the grizzly bear incident regarding increased bear activity and advised that [REDACTED] should move [REDACTED] sheep. [REDACTED] said this is pretty common advice. [REDACTED] sent an email which included two recent investigative reports - one involving [REDACTED] sheep and a black bear that occurred on 08/27/2013, and another involving a nearby heard and a grizzly bear that occurred on 08/13/2013 (see attachment 2 - USDA Reports).

Subjects Information

On 09/27/2013, [REDACTED] provided SA [REDACTED] with [REDACTED] personally identifiable information. [Agents Note: MTFWP reports refer to the subject's last name as [REDACTED] however [REDACTED] provided the full name of [REDACTED]. This information included [REDACTED] citizenship and visa status. SA [REDACTED] verified [REDACTED] citizenship and visa status with the U.S. Department of State, Diplomatic Security Service on 09/30/2013.

(b)(6),
(b)(7)(C)

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REPORT OF INVESTIGATION

INV #: 2013604784

Title: [REDACTED]

Report #: R001

DESCRIPTION OF SUBJECTS

[REDACTED]

DOB: [REDACTED]

SS# [REDACTED]

[REDACTED]

Citizenship: [REDACTED]

Passport Info: Country of Issue- [REDACTED]

[REDACTED]

PRIOR VIOLATIONS

A search for [REDACTED] did not return any results.

WITNESSES

SA [REDACTED]
2900 4th Ave N #301
Billings, MT 59101
Phone: [REDACTED]
Fax: (406)274-7357

Warden [REDACTED]
MTFWP
PO Box 1427
West Yellowstone, MT 59758
Phone: [REDACTED]

Warden [REDACTED]
MTFWP
1400 South 19th Ave
Bozeman, MT 59718
Phone: [REDACTED]

[REDACTED]
MTFWP - Biologist
1400 South 19th Ave
Bozeman, MT 59718
Phone: [REDACTED]

(b)(6),
(b)(7)(C)

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REPORT OF INVESTIGATION

Title: [REDACTED]

INV #: 2013604784

Report #: R001

LAWS VIOLATED

On 08/25/2013, within the District of Montana, [REDACTED] did illegally take a grizzly bear in violation of the Endangered Species Act- 16 USC 1538(a)(1)(G).

EVIDENCE

Evidence Seized and maintained by Another Agency:

1. MTFWP Wardens disarticulated the head and paws which are being maintained and stored as evidence by MTFWP.

ATTACHMENTS

1. MTFWP Reports with Photo Contact Sheet (8 pages)
2. USDA Reports (4 pages)

(b)(6),
(b)(7)(C)

September 17, 2013

Southern Gravelly Grizzly Bear#677 Mortality:

Sheep Depredation

Investigators: [REDACTED]
[REDACTED]

Date of Report: 8/25/2013

Location: Southern Gravelly Range. Hell roaring Creek; Crater Ridge.

Reporting: [REDACTED]

Summation:

On 25 August 2013 at 2000 hrs, I received a call from MFWP Bear Specialist [REDACTED] with regards to a grizzly bear that had been reported shot by a sheep herder in the Southern Gravelly Range. I was requested to call [REDACTED] owner of the sheep, and arrange a time for [REDACTED] to escort me to the site and investigate the scene. [REDACTED] also indicated that the USFWS had been notified and may be sending someone down.

The following morning it was decided, after consultations with USFWS and MFWP agents, that [REDACTED] and I would go to the scene and investigate and collect evidence. Then report back to both agencies. We arranged to meet [REDACTED] at the Hell Roaring trailhead around 12:00p.m.

[REDACTED] and I left the trailhead around 1230 and headed to the sheepherder camp. At camp we met with the herder, [REDACTED] could not speak English, so [REDACTED] relayed the event to us as [REDACTED] described what happened. [REDACTED] taped the conversation.

The following is what was described:

- On the night of 8/23- [REDACTED] dogs engaged a Grizzly Bear in [REDACTED] herd of sheep and were able to successfully drive it away.
- The following morning, [REDACTED] discovered three dead sheep, partially consumed. A partially consumed sheep was approximately 50 yds from [REDACTED] camp. As directed, [REDACTED] moved [REDACTED] camp and the herd approximately 1mile east from that spot.

(b)(6),
(b)(7)(C)

- Between 2 and 4 am on 8/25 [REDACTED] dogs engaged a Grizzly Bear approaching [REDACTED] camp area. At some point, [REDACTED] decided to shoot the Bear as the engagement was continual and the Bear was appearing more aggressive. [REDACTED] estimated the shot to be about 50yds from [REDACTED] tent.
- The bear was hit and ran off with the dogs following. [REDACTED] pursued the dogs and reengaged the bear at a stand of trees east of camp and eventually fired two more shots that killed the bear.
- The incident was reported to [REDACTED] who went to the camp, found the bear, and then reported it to the USDA/WS that day.

[REDACTED] and I arrived at the camp where the tent was standing. After a brief search we found the following:

- A grizzly bear carcass was lying about 150yds from [REDACTED] tent at the edge of a stand of cottonwood trees
- There were 3 ear tags in the bear. One (1) yellow ear tag with number 236 and two (2) red ear tags, one in each ear. Numbers 898 and 954.
- There were also three bullet wounds. Looking from the front of the bear, one wound was on the upper right shoulder around the base of the neck. A second wound was on the right hind quarter. A third wound was on the left flank with intestinal tissue protruding from the wound. Suggesting that the second wound may be the entry of one of the bullets and the third would be the exit wound with tissue following the bullet path out.
- The Bear appeared to be in good condition with no apparent tooth issues and no obvious chronic injuries.
- There was also an area just in the trees where the ground was torn up. I was told this is where [REDACTED] reengaged the bear that night and found him pawing and wrestling around and chewing at his side. [REDACTED] shot at the bear twice here and disengaged. The carcass was found dead approximately 10yds from this site.
- A quick necropsy of the stomach contents revealed this bear had been feeding on domestic sheep as muscle tissue and wool fibers were evident and almost exclusive.

[REDACTED] and I took pictures and coordinates from the site. We retrieved the feet and head from the carcass and packaged stomach contents for analysis at the FWP lab in Bozeman. We left the site and went to the first camp where the sheep carcasses were. We observed three sheep that had obviously been fed upon and were still being utilized by other critters. We took pictures and gathered some hair fibers from the carcasses and then returned to the trailhead. [REDACTED]

(b)(6),
(b)(7)(C)

Possible scenario:

The information told to us and the evidence we found at the scene, seemed consistent with [REDACTED] recollection. I am not sure about the sequence of shots, but a possibility is that the first shot may have hit the bear in the rear hind quarter and exited through the bears left flank bringing out the intestinal tissue. That may suggest why [REDACTED] found the bear struggling and "chewing at his side". That would leave the remaining wound in the neck as the fatal shot. Suggesting one shot was a miss.

(b)(7)(C)

Grizzly Bear Mortality Report *-draft-*

Date Reported: 08/25/13
 Date of Mortality: 08/25/13
 Reported by: [REDACTED]
 Cause of Mortality: DLP sheep/guard dogs/herder (prior sheep depredations) – *under investigation*
 Location of Mortality: Hellroaring Creek – Crater Ridge, Madison County – BNF
 UTM: 435.461 x 4965.432 NAD 83 elevation 9046'
 Bear ID: #677 (mort #2013-16) ear-tags visible and matched
 Age of Bear: Adult – 8 yrs
 Sex of Bear: male
 Investigated by: [REDACTED] – MFWP, USFWS consultation

Disposition of Bear: On 08/25/13, Bear #677 was killed in a reported DLP situation between 0200 and 0400 hours by a sheep-herder in a backcountry situation. Owner of the sheep herd reported the bear mortality to USDA/WS on 08/26/13 and they contacted [REDACTED] MFWP. Mortality site and depredation sites were investigated and the head, feet and stomach contents of the bear were collected and taken to the MFWP Wildlife Lab in Bozeman. Examination of the stomach contents revealed domestic sheep muscle, fat and wool. This would be consistent with the reported sheep depredations that occurred in this herd on 08/24/13. All parts of the bear are currently being held in evidence at the MFWP Wildlife Lab.



[REDACTED]

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE
OFFICE OF LAW ENFORCEMENT

(b)(6),
(b)(7)(C)

REPORT OF INVESTIGATION
REPORT#: 2013604784R002
APPROVED - CASE CLOSED

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CASE TITLE

[REDACTED]

REPORT DATE
12/09/2013

CASE NUMBER
2013604784

REPORTING OFFICER
[REDACTED] SA [REDACTED]

CASE STATUS
RECOMMENDED FOR
CLOSURE

APPROVED BY
[REDACTED] SA [REDACTED] - 12/09/2013
[REDACTED] SA [REDACTED] - 12/13/2013

SUBJECTS OF REPORT

[REDACTED]

SYNOPSIS

The case was presented to Assistant United States Attorney [REDACTED] in the District of Montana and was declined for prosecution. This report documents the declination.

This case is recommended for closure.

DISTRIBUTION

Internal List

[REDACTED] SA
[REDACTED] SA
[REDACTED] SA









Attachment 1