



United States Department of Agriculture

AUG 23 2013

Animal and Plant  
Health Inspection  
Service

Marketing and  
Regulatory  
Programs

Animal and  
Plant Health  
Inspection  
Service

Legislative and  
Public Affairs

Freedom of  
Information

4700 River Road  
Unit 50  
Riverdale, MD  
20737-1232

Ms. Jessica Almy  
Meyer Glitzenstein & Crystal  
1601 Connecticut Avenue, N.W.  
Suite 700  
Washington, DC 20009-1056

Dear Ms. Almy:

This is in response to your July 11, 2013, Freedom of Information Act (FOIA) Appeal 2013-APHIS-00193-A regarding FOIA request 2013-APHIS-03828-F, in which you requested records related to APHIS Wildlife Services' Involvement in White-Tailed Deer Management in Rock Creek Park.

On behalf of In Defense of Animals, you are appealing FOIA's constructive denial of your request for records. While reviewing the nine pages of records provided by APHIS Wildlife Services program office, we have determined that the entire set of records originated with the Department of Interior, National Park Services (NPS). Accordingly, by copy of this letter, we are returning the documents to NPS to make the release determination and direct response to you. If you have any questions, please direct them to:

Chris Wilson  
12795 W. Alameda Parkway  
P.O. Box 25287  
Denver, CO 80225  
303-969-2959  
Fax: 303-969-2557 (Call to confirm receipt)  
1-855-NPS-FOIA

If you are dissatisfied with this decision, you have the right to judicial review in an appropriate United States District Court in accordance with 5 U.S.C. 552, (2)(4)(B). Prior to seeking judicial review, you may contact the Office of Government Information Services (OGIS). OGIS was created within the National Archives and Records Administration when the Open Government Act of 2007 amended the FOIA. OGIS provides mediation of FOIA disputes between appellants and federal agencies. Participation in mediation does not affect your right to judicial review. Contact information for OGIS can be found at <http://www.archives.gov/ogis>.

Sincerely,

Kevin Shea  
Administrator

✓ cc: C. Wilson, NPS, FOIA (Enc. Records and FOIA request)

Meyer Glitzenstein & Crystal  
1601 Connecticut Avenue, N.W.  
Suite 700  
Washington, D.C. 20009-1056

Katherine A. Meyer  
Eric R. Glitzenstein  
Howard M. Crystal  
William S. Eubanks II  
Jessica Almy

Telephone (202) 588-5206  
Fax (202) 588-5049  
meyerglitz@meyerglitz.com

June 10, 2013

*Via Electronic Mail and Certified Mail*

Animal and Plant Health Inspection Service  
Director, Freedom of Information and Privacy Act Staff  
4700 River Road, Unit 50  
Riverdale, MD 20737  
foia.officer@aphis.usda.gov

FOIA Request# **03828**  
Date Rec'd 6/10/2013  
Date Due 7/9/2013  
Assigned to Robbie  
Category All other  
Search WS

**Re: Freedom of Information Act Request for Records Related to APHIS Wildlife Services' Involvement in White-Tailed Deer Management in Rock Creek Park**

Dear FOIA Officer,

On behalf of In Defense of Animals ("IDA"), Carol Grunewald, Jeremy Rifkin, Anne Barton, Mary Rowse, and Dr. Zhong-Ying Chen, we are writing to request records under the Freedom of Information Act ("FOIA"). 5 U.S.C. § 552. IDA is a 501(c)(3) non-profit organization whose mission is to protect the rights, welfare, and habitats of animals. The individuals are neighbors of Rock Creek Park.

**I. Records Requested**

On behalf of IDA and the above-named individuals, we request the following records from November 1, 2006 to present:

1. Any contract(s) between the Animal and Plant Health Inspection Service ("APHIS") or APHIS Wildlife Services and the National Park Service ("NPS") or Rock Creek Park for management of white-tailed deer within Rock Creek Park, including but not limited to sharpshooting by rifle or archery, "capture-and-euthanasia" operations, and/or fertility control; and
2. Any correspondence between APHIS or APHIS Wildlife Services and NPS or Rock Creek Park concerning deer management in Rock Creek Park.



As used throughout this letter, the terms "record" and "records" shall mean any and all forms of records and documents (handwritten, typed, electronic or otherwise produced, reproduced or stored) generated, received, obtained, held or created by or for the agency.

Since FOIA provides that if portions of a document are exempt from release, the remainder must nevertheless be segregated and disclosed, 5 U.S.C. § 552(b), we request that you provide us with all non-exempt portions of the requested records, along with an explanation of which documents, if any, may be privileged or exempt from this FOIA request and why. Please explain any deletions by referring to the specific exemption that you are invoking under FOIA. Further, if processing some of the records requested may take longer than processing the other information requested, we request that you provide the latter expeditiously and continue to provide information on a rolling basis.

## II. Request for Fee Waiver

We respectfully request that you waive all fees in connection with this request as provided by 5 U.S.C. § 552(a)(4)(A)(iii). As demonstrated below, IDA and the individual requesters meet the two pronged test for a fee waiver, i.e., (A) the subject of this request concerns the public interest in the management of Rock Creek Park, and the disclosure of such information will "contribute significantly to public understanding of the operations or activities of the government;" and, (B) the request primarily and fundamentally is for non-commercial purposes. *See id.*; 7 C.F.R. Part 1, App. 1, § 6.

### a. Disclosure of this Information Will Significantly Contribute to Public Understanding of the Operations or Activities of the Government.

*First*, the information requested – specifically, government contracts for deer management within Rock Creek Park and related correspondence between government agencies – concerns "the operations or activities of the government." Both APHIS and NPS are government entities. APHIS's website describes its Wildlife Services program as "provid[ing] Federal leadership and expertise to resolve wildlife conflicts to allow people and wildlife to coexist" through "program delivery, research, and other activities." [http://www.aphis.usda.gov/wildlife\\_damage/](http://www.aphis.usda.gov/wildlife_damage/). NPS is an agency of the United States under the Department of the Interior charged with managing the federal lands and resources of Rock Creek Park, in accordance and compliance with federal laws and regulations.

*Second*, the records requested have an informative value. The subject of this FOIA request concerns a specific problem – i.e., the publicly funded management of wild white-tailed deer in Rock Creek Park – and such information will help the public understand the functions of government more clearly than the already publicly available information on this subject.

The cull of deer in Rock Creek Park using federal tax dollars has resulted in public outcry:

- The Washington DC FOX News affiliate covered the story no fewer than six times. See <http://www.myfoxdc.com/video> (search for "Rock Creek deer").

- The opinions page of the *Washington Post* hosted a lively back-and-forth about the ethics of killing the deer in Rock Creek Park. See, e.g., [http://www.washingtonpost.com/opinions/nothing-humane-in-rock-creek-park-deer-hunt/2013/04/09/5b7ff546-a073-11e2-bd52-614156372695\\_story.html](http://www.washingtonpost.com/opinions/nothing-humane-in-rock-creek-park-deer-hunt/2013/04/09/5b7ff546-a073-11e2-bd52-614156372695_story.html).
- Local radio station WTOP hosted a six-part series on the Rock Creek Park deer, along with several follow-up stories. See <http://www.wtop.com/?sid=3240624&nid=1309>.
- A public affairs program that aired on several DC-area Clear Channel radio stations, including Big 100.3 featured a 17-minute interview with advocates that opposed the deer cull in Rock Creek Park. See [http://www.thebigdc.com/cc-common/podcast/single\\_page.html?podcast=lisa&selected\\_podcast=Rock Creek Park Deer Podcast 1357250614\\_6882.mp3](http://www.thebigdc.com/cc-common/podcast/single_page.html?podcast=lisa&selected_podcast=Rock+Creek+Park+Deer+Podcast+1357250614_6882.mp3).

A petition to NPS urging them to abandon plans to kill the deer in Rock Creek Park garnered more than 5,000 signatures. See <http://www.change.org/petitions/national-park-service-don-t-kill-deer-in-our-nation-s-capital>. In addition, the individual requesters manage Facebook and Twitter accounts dedicated to providing news and opinion about the Rock Creek Park deer, which together reach more than 850 supporters. See <http://www.facebook.com/SaveTheRockCreekParkDeer>; <http://twitter.com/rockcreekdeer>.

Accordingly, because this request articulates a specific problem that release of the records will shed light on, a fee waiver is appropriate. See, e.g., *Physicians' Comm. for Responsible Med. v. HHS*, 480 F. Supp. 2d 119, 123-24 (D.D.C. 2007) (finding that "PCRM's description of a specific problem – the composition of [a committee's] membership – and its impact on [the committee's] ability to fulfill a specific statutory mandate" satisfies the "reasonably specific" standard, "which is all that FOIA requires" (internal quotation marks omitted)); *Prison Legal News v. Lappin*, 436 F. Supp. 2d 17, 26 (D.D.C. 2006) (holding that a request for information regarding specific events in particular facilities would provide insight about how federal prisons were being managed and how tax dollars were being spent).

*Third*, disclosure of the records is likely to result in a contribution to an understanding of the subject *by the public*. In evaluating this factor, courts look to whether the requester has the capacity to disseminate the information to parties outside of the organization. See *FedCURE v. Lappin*, 602 F. Supp. 2d 197, 203 (D.D.C. 2009) ("a requester must demonstrate an intention to effectively convey the requested information to the public" (internal citations and quotation marks omitted)); accord *Judicial Watch v. Dep't of Justice*, 185 F. Supp. 2d 54, 62 (D.D.C. 2002). With the establishment of the internet, organizational websites, and email, most public interest requester organizations like IDA can easily demonstrate that they have this ability. *D.C. Technical Assist. Org. v. HUD*, 85 F. Supp. 2d 46, 49 (D.D.C. 2000) ("In this Information Age, technology has made it possible for almost anyone to [disseminate information].").

IDA has tens of thousands of members and supporters throughout the country. In addition to its website -- <http://www.idausa.org/> -- IDA electronically publishes a weekly newsletter that's freely available to anyone who signs up. See [http://ida.convio.net/site/PageNavigator/sign\\_up](http://ida.convio.net/site/PageNavigator/sign_up). Information on the humane treatment and conservation of wildlife is a

key component of IDA's web presence, and its Wild and Free campaign is one of six major campaigns featured on its website. See <http://www.idausa.org/campaigns/>.

Indeed, one court found that "one self-generated newspaper article, and interviews that have not aired," were adequate to prove a requester's ability to disseminate information, in part because the newspaper article appeared in *The New York Times*, "one of the most circulated newspapers in the United States." *Clemente v. FBI*, 741 F. Supp. 2d 64, 76-77 (D.D.C. 2010). IDA's ability to disseminate information to the public through the print media, including *The New York Times*, and other widely read publications, is even more impressive. See, e.g., <http://www.nytimes.com/1995/08/10/nyregion/chimp-research-laboratory-is-taken-over-by-foundation.html> (*The New York Times* article featuring IDA). Consider, for example, two articles about IDA's efforts to ensure the humane treatment of white-tailed deer from the past few months. On January 5, 2013, *The Journal-News* covered IDA's campaign to ensure that the community of Hastings, New York uses humane, nonlethal management techniques for white-tailed deer. <http://www.lohud.com/article/20130105/NEWS02/301050088/Vaccine-might-help-Hastings-reduce-deer-population>. And on February 28, 2013, the *Washington City Paper* featured IDA's efforts to raise awareness of the inhumane consequences of a deer cull in Montgomery County, Maryland. <http://www.washingtoncitypaper.com/blogs/citydesk/2013/02/28/photo-gruesome-deer-wandering-around-montgomery-county/>. In addition, IDA has more than 100,000 followers on Facebook, and more than 3,000 followers on Twitter. <https://www.facebook.com/indenseofanimals>; <https://twitter.com/IDAUSA>.

**Fourth**, release of the records will result in a "significant" contribution to public understanding of the government's operations or activities – because the requested records will shed light on government funding and oversight of federal deal-making that occurs primarily out of the public view. For purposes of this factor, significance is determined by "comparing the public understanding with and without potential disclosure." *CREW v. HHS*, 481 F. Supp. 2d at 116 (citing *Judicial Watch*, 185 F. Supp. 2d at 62). Here, the "threshold level of public dissemination" of the information sought is minimal. The public is aware that NPS planned to use APHIS Wildlife Services to conduct the cull. See <http://www.nps.gov/rocr/parkmgmt/upload/ROCR-Deer-Management-Plan-FAQ-Revision-for-Public-Distribution-January-10-2012.pdf> ("NPS will work with specially trained biologists from the United States Department of Agriculture's Animal and Plant Health Inspection Service, Wildlife Services branch (USDA-WS"). But the public has no understanding of the intricacies of the deal that was struck – the duration of any contract, the total cost to taxpayers, any provisions that are made to transition from killing to nonlethal reproductive controls, the qualifications of the APHIS employees who will be conducting the management activities, any emergency protocols in case a member of the public or a domestic animal is injured, etc.

Therefore, because public knowledge about the government's role in funding and conducting these management activities is limited, IDA and the individual requesters are clearly entitled to a statutory fee waiver. See *FedCURE v. Lappin*, 602 F. Supp. 2d at 205; *Judicial Watch v. Dep't of Justice*, 365 F.3d 1108, 1126-27 (D.C. Cir. 2004); see also *Campbell v. Dep't of Justice*, 164 F.3d 20, 36 (D.C. Cir. 1998) (holding that the government must demonstrate that the information sought "has met a threshold level of public dissemination [and thus] will not

further 'public understanding' within the meaning of the fee waiver provisions" to justify a decision denying a fee waiver).

- b. Obtaining the requested information is of no commercial interest to IDA or the other requesters.

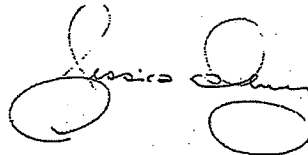
IDA is a 501(c)(3) non-profit organization. IDA has no commercial, trade, or profit interest in the material requested. IDA will not be paid for or receive other commercial benefits from the publication or dissemination of the information requested, nor will any of the individual requesters.

Instead, IDA and the individual requesters seek to use the requested information to inform the public, including IDA's members and supporters through the organization's website, newsletters, and other publications, about the fate of the Rock Creek Park deer and the government's role in funding and conducting the management activities. Therefore, the disclosure of the information is in the public interest and a fee waiver is appropriate.

### III. Conclusion

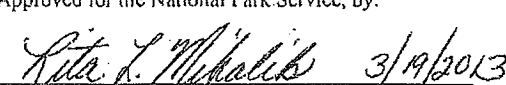
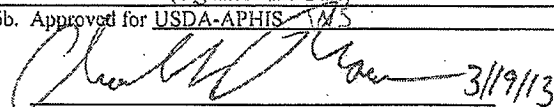
In light of the foregoing, we request that the fee waiver request be granted, and that we receive all the records responsive to this request, in complete and unredacted form, within twenty working days, as required by FOIA. 5 U.S.C. § 552(a)(6)(A). We appreciate your help in obtaining the requested information as soon as possible. Please contact us at (202) 588-5206 or [jalmy@meyerglitz.com](mailto:jalmy@meyerglitz.com), should you have any questions or would like to discuss this matter.

Sincerely,



Jessica Almy  
Katherine Meyer

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
INTERAGENCY ACQUISITION AGREEMENT

1. Fiscal Year 2013		2. IAA Number P13PG00080		4. Type <input checked="" type="checkbox"/> Original      Mod		5. Modification No.	
		3. Other Agency Number 13-7211-4987-IA					
6. This Agreement is entered into by Office: Rock Creek Park Location: 3545 Williamsburg Lane Washington, DC 20008  DUN's # 021875125				7. Amount of this transaction      \$26,000.00  Previous amount      \$0		8. Total amount      \$26,000.00	
9. Name of Agency: USDA/APHIS-Wildlife Services Eastern Regional Office 920 Main Campus Drive, Suite 200 Raleigh, NC 27606  DUN's # 929332450				10. Closeout date:		11. Under the authority of: Economy Act 31 U.S.C. § 1535 (a) <input type="checkbox"/> Reciprocal Fire Act 42 U.S.C. § 1856 (a) <input type="checkbox"/> Other (cite authority) <input checked="" type="checkbox"/> <b>16 USC 4601-1(g) Note: NPS funds obligated pursuant to the above are not subject to deobligation requirement of the Economy Act, 31 USC 1525(d). These services constitute a nonseverable undertaking since the NPS is not able to use any interim products.</b>	
12. Term of Agreement: Effective Date: 1 January 2013      Completion Date: 30 September 2017				13. Economy Act determination attached? Yes <input checked="" type="checkbox"/> No		15. Bureau Procurement Chief approval attached? (Required for actions \$500,000 and above.) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
14. Statement of Work: (see attached) To perform work as described herein for the agency named in item 9. <input type="checkbox"/> To have work performed for NPS by the agency named in item 9. <input checked="" type="checkbox"/>							
		PAYING AGENCY			BILLING AGENCY		
16. Agency location code		16a. 14-10-0099			16b. 12-40-3400		
17. Treasury appropriation symbol		17a. <del>1421026</del> 1431036			17b. <del>12403400</del> 1231600		
18. Period of fund availability		18a. 1 October 2012 - 30 September 2017			18b.		
19. Account Number		19a. PPNCROCRR0			19b. AP.RA.NA11.72.0046: \$22385; AP.WS.IDCT.11		
20. Procurement document number		20a. 40080228			20b. S2462; AP.RA.OVHD.AG: \$1153; BP 1313		
21. Name of key officials		21a. Ken Ferebee			21b. Kevin Sullivan		
22. Key official's telephone number		22a. 202/895-6221			22b. 410/349-8055		
23. Billing method:      IPAC <input checked="" type="checkbox"/>		Point of Contact for IPAC Name: National Park Service, Accounting Operations Center, Telephone:      P.O. Box 100000, Herndon, VA 20171					
24. Billing frequency:      Annually <input type="checkbox"/> Quarterly <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Other (identify) <input type="checkbox"/>							
25. Billings through IPAC must always specify the NPS Interagency Acquisition Agreement Number and Account Number(s). Account:							
Execution of this Agreement constitutes an obligation against the requesting agency, and authority for the servicing agency to proceed with the work and services to be performed. Nothing contained herein will be construed as binding the paying agency to expend in any one fiscal year sums in excess of appropriations made by Congress for the purposes of this Agreement for that fiscal year. This Interagency Acquisition Agreement may be modified at any time during the Agreement period by written Agreement between the parties and may be terminated by either party after thirty (30) days written notice.							
26a. Approved for the National Park Service, by:				Typed Name and Title: <u>Rita L. Mihalik, Contracting Specialist</u>			
 3/19/2013 (Signature and Date)				Telephone and e-mail: <u>301/432-7890 rita.mihalik@nps.gov</u>			
26b. Approved for <u>USDA-APHIS</u> by:				Typed Name and Title: <u>Charles S. Brown, Regional Director</u>			
 3/19/13 (Signature and Date)				Telephone and e-mail: <u>919/855-7198, Charles.S.Brown@aphis.usds.gov</u>			

## ATTACHMENT A STATEMENT OF WORK

This statement of work tiers off of the multi-year, signed implementation plan dated 28 August 2012.

### The USDA Wildlife Services will:

- In Year One (Fiscal Year 2013), remove 20-27 percent of the deer population over 5 nights of work.
- All field operations will begin at approximately 2200 hours and end at 0400 hours.
- Form two teams, each utilizing a pick-up truck as a platform from which to lethally cull deer using small caliber firearms.
- Use night vision equipment, forward looking infrared scanners, and rifle scopes to verify target animals and make accurate shots.
- Contract a meat processing facility to prepare carcasses for donation to charities.
- Collect and take all animals to a processing facility.
- Take tissue samples to test for Chronic Wasting Disease.
- Hold the carcasses until a negative test result is returned. In the case of a positive test result, the animal carcass and any associated carcasses will be disposed of according to state and federal laws regarding disposal of such carcasses/meat.

### The NPS will:

- To implement the deer management plan, Rock Creek Park will be divided into sections, beginning in the northern end of the park and proceeding south. In each section, park roads and trails will be closed to visitors using barricades, signage, and personnel.
- U.S. Park Police officers and National Park Service staff will be utilized to enforce park road and trails closures in accordance with approved operational and safety plans.
- Park staff will accompany each team of USDA sharpshooters to provide logistical support.
- Rock Creek Park will ship all tissue samples to WASO NRSS for testing Chronic Wasting when deer meat is for human consumption.

### Principal Project Managers

For USDA APHIS Wildlife Services:  
State Director-- MD/DE/DC

For NPS:  
Rock Creek Park Chief of Resources Management  
Rock Creek Park Natural Resource Management Specialist

### Schedule

**This is a multi-year project. The abbreviated schedule below only reflects action for FY 2013.**

30 September 2012--Develop action and safety plans for the deer management project to include detailed procedures for removing required number of animals and protection of employee and visitor safety during management actions.



- 20 March 2013--On-site meeting to discuss final action and safety planning before deer management actions begin.
- 20 March 2013--Finalize Communication Plan including press releases, notification procedures for park closures, implementation of deer management actions, etc.
- 20 March 2013--Establish a contract with Valley Proteins for animal waste removal from deer management actions.
- 25 March- 1 April 2013--Deer Management Field Work, Year One-- implement park closures, notifies the public using various media, and implement procedures to protect public and employee safety. Work will continue for a maximum of 5 nights and/or until target number of deer to be removed is achieved.
- 30 April 2013--Conduct an after-action briefing to assess overall success of Year One deer management actions and to discuss items to modifying or correct for Year Two.
- 30 June 2013--Prepare draft annual accomplishment report for Year One of three-year deer management project.
- 31 October 2013--Review and revise if necessary the action plan and safety plans for deer management actions.

**Budget-Cost**

**This is a multi-year project. The abbreviated budget below only reflects action for FY 2013.**

<u>Contractor and Cooperator Costs</u>	<u>\$26,000</u>
TOTAL	\$26,000

USDA Wildlife Services  
 FINANCIAL PLAN (March 25, 2013 – September 30, 2013)

Personnel Costs .....	\$ 12,035
Travel.....	\$ 1,000
Vehicle Usage .....	\$ 1,750
Supplies .....	\$ 600
Services (meat processing) .....	\$ 7,000
Subtotal (Direct Costs) .....	\$ 22,385
Program Support .....	\$ 3,615
TOTAL .....	\$ 26,000

The distribution of the budget from this Financial Plan may vary as necessary to accomplish the purpose of this agreement, but may not exceed \$ 26,000.

Financial Point of Contact

NPS:	Rita L. Mihalik	Phone 301 765-7890
APHIS, WS:	Terry Kerber	Phone 410 349-8055

**From:** [Ken\\_Ferebee@nps.gov](mailto:Ken_Ferebee@nps.gov)  
**To:** [Sullivan, Kevin - APHIS](mailto:Sullivan, Kevin - APHIS)  
**Cc:** [Nick Bartolomeo@nps.gov](mailto:Nick_Bartolomeo@nps.gov)  
**Subject:** Deer Management at Rock Creek Park  
**Date:** Monday, April 30, 2012 1:21:05 PM

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Kevin,

Rock Creek Park has been successful in obtaining some funding that will allow us to begin implementation of deer management in Rock Creek Park this coming winter. The park received \$173K to perform deer population reduction for years 1 to 3. We would like to set up a meeting with you and other members of your team to begin to discuss logistics, operations, and methods of implementing sharpshooting in the park this winter. This meeting will allow us to begin to formulate the required safety and implementation plans that are required. The meeting would take place at the park and would involve some inside time as well as a field visit. We would also like to invite the U.S. Park Police to participate in the meeting so that park closures and other law enforcement needs can be discussed. We would prefer to schedule this meeting sometime in second half of the week starting May 7 or during the week starting May 14. Can you let me know your availability during these weeks so that I can check with others here. The meeting will probably last between 2 and 3 hours. Thank you and I look forward to working with you.

Ken Ferebee  
Natural Resource Management Specialist  
Rock Creek National Park  
3545 Williamsburg Lane, NW  
Washington, D.C. 20008  
office:202-895-6221  
cell:202-359-1702  
Fax 202-895-6075  
[ken\\_ferebee@nps.gov](mailto:ken_ferebee@nps.gov)

**From:** [Ken\\_Ferebee@nps.gov](mailto:Ken_Ferebee@nps.gov)  
**To:** [Sullivan, Kevin - APHIS](#)  
**Subject:** Deer Management Question  
**Date:** Tuesday, January 03, 2012 11:53:21 AM

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Kevin,

Happy New Year. I hope you and your family are well. I have a deer management question. We are getting ready to release our deer mgmt. plan this week if all goes well and are developing a list of frequently asked questions to release to the press. We have one question about how will we protect public safety during management actions. I talk about using professionals like USDA as one way to protect the public. A question came up during the review of the questions about using firearms to do management. Is this the only way you do removals or do you guys use bows, capture/euthanasia as well. We want to say firearms and other lethal techniques to cover everything that is in our plan. I called your office today and left a message to call me back. This question was the subject of the call.

Ken Ferebee  
Natural Resource Management Specialist  
Rock Creek National Park  
3545 Williamsburg Lane, NW  
Washington, D.C. 20008  
office:202-895-6221  
cell:202-359-1702  
Fax 202-895-6075  
[ken\\_ferebee@nps.gov](mailto:ken_ferebee@nps.gov)

**From:** Ken\_Ferebee@nps.gov  
**To:** Sullivan, Kevin - APHIS  
**Subject:** RE: Rock Creek Park Deer Culling  
**Date:** Tuesday, October 23, 2012 3:21:10 PM

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Kevin,

This should work. I was thinking about this a little more and decided that these costs are what the NPS does not have to purchase to do this project if we were doing it ourselves. Since you are supplying these then the NPS is saving this money.

Ken Ferebee  
Natural Resource Management Specialist  
Rock Creek National Park  
3545 Williamsburg Lane, NW  
Washington, D.C. 20008  
office:202-895-6221  
cell:202-359-1702  
Fax 202-895-6075  
ken\_ferebee@nps.gov

APHIS has no objections to release the e-mail in full.

"Sullivan, Kevin - APHIS" ---10/23/2012 03:02:32 PM---Ken, Here are some in-kind services

"Sullivan, Kevin - APHIS"  
<Kevin.Sullivan@aphis.usda.gov>

To "Ken\_Ferebee@nps.gov"  
<Ken\_Ferebee@nps.gov>

cc.

10/23/2012 03:02 PM

Subject RE: Rock Creek Park Deer Culling

Ken, Here are some in-kind services

FY 13

Vehicle (3) \$1,000

ATV (2) \$ 500

Firearms (3) \$ 9,000

FLIR/Night Vision \$21,500

Total \$32,000

Hope this helps.

Kevin

Kevin J Sullivan  
State Director MD/DE/DC  
USDA, APHIS Wildlife Services  
Certified Wildlife Biologist  
Chair – Explosives Safety Committee  
Ph 410 349-8055  
Fax 410 349-8258

**From:** Ken\_Ferebee@nps.gov [mailto:Ken\_Ferebee@nps.gov]  
**Sent:** Monday, October 22, 2012 8:09 AM  
**To:** Sullivan, Kevin - APHIS  
**Subject:** Rock Creek Park Deer Culling  
**Importance:** High

Kevin,

I am working on the Interagency Agreement with APHIS and I need to put a section on In-Kind Contributions for USDA and for NPS. Can you provide some estimates of numbers for Supervisor Salary, Travel, Vehicles (GSA rental, ATV's), Guns, Ammo, and FLIR. We are going to establish the IAA for the 5 year maximum starting in 2013 so if you could give me some numbers for this time period I would appreciate it. Once I get this info from you I can incorporate it into the IAA and then send it to you for review.

Ken Ferebee  
Natural Resource Management Specialist  
Rock Creek National Park  
3545 Williamsburg Lane, NW  
Washington, D.C. 20008  
office:202-895-6221  
cell:202-359-1702  
Fax 202-895-6075  
[ken\\_ferebee@nps.gov](mailto:ken_ferebee@nps.gov)

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**From:** [Ken\\_Ferebee@nps.gov](mailto:Ken_Ferebee@nps.gov)  
**To:** [Sullivan, Kevin - APHIS](#)  
**Subject:** Rock Creek Park Deer Culling  
**Date:** Monday, October 22, 2012 8:12:16 AM  
**Importance:** High

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Kevin,

I am working on the Interagency Agreement with APHIS and I need to put a section on In-Kind Contributions for USDA and for NPS. Can you provide some estimates of numbers for Supervisor Salary, Travel, Vehicles (GSA rental, ATV's), Guns, Ammo, and FLIR. We are going to establish the IAA for the 5 year maximum starting in 2013 so if you could give me some numbers for this time period I would appreciate it. Once I get this info from you I can incorporate it into the IAA and then send it to you for review.

Ken Ferebee  
Natural Resource Management Specialist  
Rock Creek National Park  
3545 Williamsburg Lane, NW  
Washington, D.C. 20008  
office:202-895-6221  
cell:202-359-1702  
Fax 202-895-6075  
[ken\\_ferebee@nps.gov](mailto:ken_ferebee@nps.gov)