



United States  
Department of  
Agriculture

June 15, 2011

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. Kristen V. Brown, Editor  
Park Slope Patch  
457 15<sup>th</sup> Street, 3C  
Brooklyn, NY. 11215  
Kristen.brown@patch.com

Dear Ms. Brown:

This is in response to your April 19, 2011, Freedom of Information Act (FOIA) request for all documents pertaining to the possible 2011 extermination of geese in Prospect Park, Brooklyn, and related information. Your request was received in this office on April 19, 2011, and assigned case number FOIA 11-422. We apologize for the delay in processing your request.

Agency employees conducted a thorough search of their files and located 15 pages of responsive records. The records, which were provided by the Wildlife Services (WS) program office, are a draft Inter-Governmental Agreement between the City of New York and WS. The agreement has not been signed by either party and is still part of a deliberative process. Neither party has agreed on the Work Plan or Financial Plan on the document. Therefore, this agreement has been withheld in its entirety under FOIA Exemption 5, 5 U. S. C. § 552(b)(5). This exemption protects from disclosure inter-agency or intra-agency information that is predecisional and is still part of a deliberative process. The responsive documents are drafts and subject to withholding.

You may appeal our full denial determination of this information. If you choose to appeal, your appeal must be in writing and must be received within 45 days of the date of this letter. You should send to:

Administrator  
Animal and Plant Health Inspection Service  
Ag Box 3401  
Washington, DC 20250-3401

Please refer to FOIA 11-422 in your appeal letter and add the words "FOIA Appeal" to the front of the envelope. To assist the Administrator in reviewing your appeal, provide specific reasons why you believe modification of the determination is warranted.



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Ms. Kristen V. Brown  
FOIA request 11-422

2

Because the cost to process your request was less than \$25.00, the fee has been waived. If you have any questions, please contact my staff on (301) 734-8296.

Sincerely,

  
for: Tonya Woods

Director  
Freedom of Information & Privacy Act  
Legislative and Public Affairs