



United States
Department of
Agriculture

December 28, 2009

Marketing and
Regulatory
Programs

W. Eason Mitchell

Animal and
Plant Health
Inspection
Service

Dear Mr. Mitchell:

Legislative and
Public Affairs

This is in response to your November 19, 2009, Freedom of Information Act (FOIA) request which was received in this office on November 19, 2009, and assigned case number FOIA 10-096. You requested for the following information:

Freedom of
Information

4700 River Road
Unit 50
Riverdale, MD
20737-1232

1. All environmental impact studies for beaver eradication programs administered or funded in whole or part by your department. If you do not have an environmental impact study, please provide documents related to your decision not to conduct the study. This request applies only to programs conducted in whole or part in the State of Alabama.
2. All summaries that describe beaver eradication programs funded or administered by your department, including financial summaries, during the last three years that were administered in whole or part in the State of Alabama.
3. ALL contracts, agreements or any other documents that relate to beaver eradication programs or efforts to trap beavers in Shelby County, Alabama during the last three years.
4. All documents that relate to any employees of USDA/APHIS wildlife service's duties, payment, funding, supervision, actions or involvement in the trapping of beavers on public or private property in Shelby County, Alabama during the last three years.
5. All documents that are given to landowners, described to landowners or received from landowners in Shelby County Alabama that relate to landowner permission to trap or kill beavers, including any documents that set out any requirements to obtain landowner permission before going onto private property for any programs administered or funded by your agency during the last three years.
6. All documents that relate to funding or receipt of funding to or from USDA/APHIS Wildlife Services or USDA or any of their employees in the State of Alabama for beaver eradication programs during the last three years.
7. All contracts, agreements, letters of understanding or any other documents related to the relationship between USDA/APHIS or any of their employees and the State of Alabama for any programs administered in Shelby County, Alabama during the last three years. This includes contracts that provide for trapping of beavers and/or the contract that provides for employees of USDA/APHIS to trap beavers or perform any acts that may include the trapping or killing of beavers on or near highway rights of way in Shelby County, Alabama.

Agency employees conducted a thorough search of their files and located the 53 documents responsive to your request which are on the enclosed CD-ROM. However, some information is being withheld under FOIA Exemption 6, 5 U.S.C. § 552(b)(6). This exemption protects information from disclosure



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when its release would cause a clearly unwarranted invasion of personal privacy. We have withheld personal information such as social security numbers, home addresses and information which may identify third party individuals.

With respect to item 1 of your request, the following two documents responsive to your request and are accessible at the following website

http://www.aphis.usda.gov/regulations/ws/ws_environmental_alabama.shtml.

1. Reducing Aquatic Rodent Damage through an Integrated Wildlife Damage Management Program
2. Reducing Aquatic Rodent Damage through an Integrated Wildlife Damage Management Program FONSI

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

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

If you choose to appeal, please refer to FOIA 10-096 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.

Also contained on the CD-ROM is rp505enu.exe, which is a free copy of Adobe® Acrobat® Reader™ needed to view the responsive records. By opening rp505enu.exe and following the on-screen instructions, you will install Adobe Reader. After the installation, Adobe Reader should render the PDF files correctly.

Because the cost to process your request is less than \$25.00, the fees have been waived. If you have any questions, please contact Ms. Tamara M. Wade of my staff at (301) 734-5268.

Sincerely,



CC
Celeste Camp
Acting Director
Freedom of Information & Privacy Act
Legislative and Public Affairs

Enclosure