

**NPNPS-2011-002577**

**Arnita Bowman**

(b) (6)

01/26/2011 10:04 AM  
PST

To:  
cc:  
Subject:

<howard\_levitt@nps.gov>

2Freedom of Information Act email request: War

Dear Mr. Levitt,

I am sending you a Freedom of Information Act email request for documents pertaining to known violations and injuries in the GGNRA and the Presidio. My purpose is to evaluate the significance of any known dog-related incidents in the parks in comparison to other human activities and injuries in the park. I do not want personal information for violators or victims.

My understanding is that this information is contained within the GGNRA violations system but please let me know if you are aware of human injury or dog-related incidents in GGNRA in other documents or databases. I've attached a table below with the details of my request. My detailed request is based on a 2005 inquiry when the Central Violations Bureau database was in place. Please let me know if you have any questions on the request or if I should change the request details due to subsequent changes to the GGNRA database. I'd like to avoid any additional work for your organization due to my incomplete understanding of the existing data.

In addition to the database records, I am requesting all officer notes pertaining to the dog bite, injury, rescue, wildlife disturbance, and attack events for 2007, 2008, and 2010. I do not want any personally identifiable information for the victims, witnesses, or owners. I will use these notes to evaluate the cause of the incident as well as the severity of the incidence to human, dog, and wildlife well-being. Either photocopies or electronic format is acceptable for my purposes. If the fees for copying these notes is more than \$30, I can come to the GGNRA office to review the notes. Please advise me of the cost, if the cost is greater than \$30, before processing my request.

I would appreciate your expediting this request due to the constraints of the 90 day period for GGNRA dog management plan public comments. My purpose is to provide a community service by providing people with an analysis of the significant of dog-related incidents in GGNRA. Because this is a community service, I would appreciate a fee waiver. If that is not possible, please let me know if the fees are expected to be more than \$50 before processing my request and also provide a fee schedule. Large fees may cause me to narrow the time period for my request. I can also come to a Bay Area office to review the information if that would reduce the costs significantly. I will be happy to provide the Park Service with my analysis once it is completed.

Please send me an email with your estimation of when I should expect to receive the information and letting me know you received this email. Also, I plan to follow up this email with a phone call in order to clarify any questions/concerns you may have. Please let me know if there is a time and day that is most convenient for you.

Thanks in advance for your assistance in this matter.

Sincerely,  
Arnita Bowman

(b) (6)

**Detailed GGNRA FOIA Request for Arnita Bowman**



# United States Department of the Interior

NATIONAL PARK SERVICE  
Golden Gate National Recreation Area  
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:

**A7221 (GOGA-CPPA)**

February 23, 2011

Arnita Bowman

(b) (6)

**Re: FOIA Tracking # NPS-2011-00257**

Dear Ms. Bowman,

Thank you for your email clarifying your FOIA request. US Park Police does not currently have the capability of transferring data electronically as you request. The reason for this is that USPP Records Office does not operate with a paperless system. To obtain the information you seek would require manually pulling each of the 45,000+ paper records, making a copy, returning it to the file, redacting personal information, and copying again.

USPP is currently in the process of converting to an updated system with a goal of being operational by summer. At that time, it will be possible to fulfill "data dump" requests such as yours with incidents from the time the system becomes operational forward in time.

Since the data you sought in your original request is not available, we have provided below the answers to your alternate information requests:

1. List of data fields available for offenses/incident. Response: **case number, time, date, incident/offense, description of location, officer name**
2. Name of database used. Response: **ACCESS with data entry only and very limited search parameters.**
3. Hours required to query the records from the system. Response: **Electronic Query Unavailable. Estimated staff time, 300-500 hours.**
4. Name of the GGNRA incident/offense tracking system. Response: **There is no such tracking system.**

5. List of reports and queries currently available for the system. Response: **Can only sort by the data fields listed above. Not available electronically.**

6. Estimated hours and cost for extracting the three key fields (date, location, incident): Response: **Not available electronically. See item 3, above.**

7. Cost to extract all other fields requested, if available. Response: **Not available. Incident reports and tickets are separate matters and would require separate staff and effort.**

Regarding the pet-related incident reports for FOIA #1 that you refer to, these were obtained from already existing copies of incident reports that law enforcement had previously set aside in anticipation of such a request. No special report or query was generated. These incident reports will be posted online at [www.nps.gov/goga](http://www.nps.gov/goga) in a FOIA Electronic Reading Room in the coming weeks for public review. We will notify you when these are uploaded to the website.

We referred you to Central Violations Bureau because you mentioned CVB is where you received data to compile your 2001-2006 analysis. CVB records contain only "ticketed misdemeanor offenses," and is not an accurate reflection of overall activity throughout any given jurisdiction. Therefore, if your analysis for 2001-2006 relied solely on CVB as a source of information, your conclusions may not be entirely accurate.

The Annual Summary Reports are the most accurate incident data available at this time. In accordance with your request, we are sending you the Annual Summary Reports for 2007, 2008, 2009, and 2010 at no cost to you. This represents all the documents and records we have that are responsive to your request.

Since all of your questions listed above have been addressed, and responsive records have been delivered, we consider FOIA # 2011-00257 to be closed. If you desire additional or different information, please submit a new FOIA request. If you have any questions about the information in this letter, please call me at (415) 561-4730.

Sincerely,



Howard Levitt  
FOIA Officer

Enclosure: CD Rom with Annual Summary Reports 2007, 2008, 2009, 2010

cc: Kevin Killeen  
Dee Sousa



# United States Department of the Interior

OFFICE OF THE SOLICITOR  
Washington, D.C. 20240



IN REPLY REFER TO:  
FOIA Appeal No. 2011-074

March 30, 2011

Arnita Bowman

(b) (6)

Dear Ms. Bowman:

This responds to the February 25, 2011, Freedom of Information Act ("FOIA") appeal ("appeal") that you filed with the Department of the Interior ("Department"), which was received on February 28, 2011.<sup>1</sup> The Department has assigned your appeal as **Appeal Number 2011-074**. Please cite this number in any future correspondence you send to the Department regarding this appeal.

Your appeal challenges the National Park Service's ("NPS") determination that it cannot provide you with electronic records, as you requested, that are responsive to your January 26, 2011, FOIA request, which you subsequently modified<sup>2</sup> to seek a "data dump of the existing records" contained in an NPS database that contains information regarding "[a]ll alleged or actual violations and injuries in the [Golden Gate National Recreation Area ("GGNRA")] and Presidio [of San Francisco, GGNRA, NPS]."

In its February 23, 2011, letter responding to the FOIA request, the NPS advised you that the United States Park Police, who maintains the database, does not currently have the capability to transfer the data to you electronically and that it would need to "manually pull[...]45,000+ paper records" to "obtain the information you seek." Additionally, to assist you in understanding the capabilities of its system, the NPS advised you that it was a Microsoft Access database "with data entry only and very limited search parameters." To challenge the NPS's determination, in the appeal you assert that in Microsoft Access databases "the data can be queried and exported into an electronic file easily...This does not require any programming or highly technical skills nor manual effort..."

The Department has learned through its discussions with the NPS regarding your appeal that its database suffered a malfunction several years ago when the version of Microsoft Access that it used was upgraded to a newer version. The NPS advised that due to this malfunction its

---

<sup>1</sup> See 43 C.F.R. § 2.29(e) (provision in the Department's FOIA regulations that notes "Appeals arriving or delivered after 5 p.m. E.T., Monday through Friday, will be deemed received on the next workday."). Your e-mailed appeal to the Department arrived in the FOIA Appeals Office's e-mail inbox on Friday, February 25, 2011, at 5:55 PM. Therefore, the appeal is deemed as received on the next workday.

<sup>2</sup> See Your February 11, 2011, e-mail message to Skot Jonz, GGNRA, NPS, and your appeal.

personnel who work with the database were unable to export data to other programs and they did not have the technical expertise required to repair the problem. These facts lead the Department to conclude that the NPS appropriately advised you that it was unable to provide the requested “data dump” of information from its database to you electronically. Thus, your appeal challenging the appropriateness of the NPS’s response to you on this issue is **DENIED**.

Notwithstanding the above conclusion, subsequent to the filing of the appeal, the NPS advised that its personnel continued to work on its database to try to develop a solution that would enable it to extract the information you requested from its database so that it could provide the materials to you electronically.<sup>3</sup> The NPS has now advised the Department that its staff was able to develop such a solution.<sup>4</sup> Since the NPS is now able to extract data from its database and provide it to you electronically, **by copy of this letter, the Department is remanding the appeal to the NPS for it to proceed with the processing of the FOIA request. The NPS is directed to complete its processing of this remand within 15 workdays from the date of this decision. The NPS will correspond directly with you, with a copy of its letter to this Office.**

Please be aware that due to the voluminous nature of the records you requested and the need for the NPS to review each record prior to release to ensure that they do not contain any information that is protected from disclosure by one of the FOIA’s nine exemptions,<sup>5, 6</sup> it may be necessary for the NPS to stagger its release of the materials to you as they become available. Employing such a practice of staggering the release of voluminous responsive documents fully comports with the requirement in the FOIA for agencies to “make [] records promptly available” to a requester.<sup>7</sup> **Should the NPS determine that it is necessary for it to stagger the release of the records, the NPS will advise you of this fact in the correspondence that it sends to you regarding the remand. Any such correspondence from the NPS will also include the anticipated schedule it plans to follow in releasing the materials to you.**

---

<sup>3</sup> The fact that the NPS was later able to develop a workaround solution to extract data from the database does not alter the fact that at the time the NPS responded to you, it was unable to provide you with the information you requested electronically.

<sup>4</sup> The fact that the NPS continued to explore a means in which it could provide you with the information you seek from the database even after it completed its response to your FOIA request satisfies the Department that your assertion in the appeal that the NPS was “obstructing [your] ability to analyze and provide the information to the public in a timely manner” is without merit.

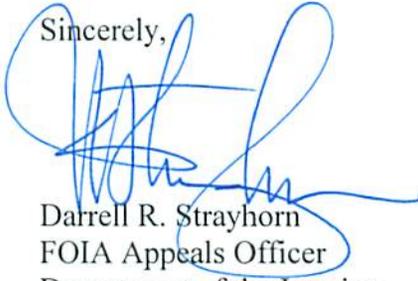
<sup>5</sup> See 5 U.S.C. § 552(b)(1)-(9).

<sup>6</sup> One of the fields of data that you seek from the database is the “location description” where the incident or offense occurred. The NPS has advised that this data field could include an individual’s home address. Such information, if it exists, could be protected from disclosure by one or more FOIA exemptions, such as FOIA exemptions (6) (which protects certain information that “would cause a clearly unwarranted invasion of personal privacy”) and (7)(C) (which protects certain information in law enforcement files that “could reasonably be expected to constitute an unwarranted invasion of personal privacy”). 5 U.S.C. § 552(b)(6) and (7)(C).

<sup>7</sup> 5 U.S.C. § 552(a)(3)(A).

As a final matter, you express your concern in the appeal that you will not have the requested information “in time to provide the public with information for providing a fully informed response” to a Draft Plan/Draft Environmental Impact Statement for Dog Management (“DEIS”) at GGNRA. You state that you believe “the delays by the NPS should be grounds for extending the DEIS public response period.” Your concern here falls outside of the scope of the provisions of the FOIA and, thus, outside of the authority that this Office has to assist you. As such, there is no action for the Department to take on this issue.

This completes the Department’s response to your appeal. If you have any questions regarding this matter, you may call me at (202) 208-5339.

Sincerely,  
  
Darrell R. Strayhorn  
FOIA Appeals Officer  
Department of the Interior

cc: Charis Wilson, FOIA Officer, NPS (**FOR ACTION**)  
Kevin Killeen, Pacific West Regional FOIA Officer, NPS  
Howard Levitt, GGNRA FOIA Officer, NPS  
Alexandra Mallus, Departmental FOIA Officer

Howard Levitt /GOGA/NPS  
04/01/2011 06:04 PM

To (b) (5)  
cc Skot Jonz/GOGA/NPS@NPS, Kevin  
Killeen/Seattle/NPS@NPS  
bcc  
Subject Re FOIA NPS-2022-00257 and Appeal No. 2011-074

Ms Bowman:

Attached is an Excel file listing all law enforcement incidents in the park from 2007-2010. Residential street addresses or other addresses that may compromise personal privacy have been redacted.

The information is being provided in its entirety, with the following fields:

Case Number  
Date  
Time of Day  
Day of Week  
Incident/Offense  
Description of Location  
Officer Name  
And Code 1 - Y or N

A "No" indicates that the case was unfounded or no report was filed.

We believe that this completes our response to FOIA 2011-00257 and Appeal No. 2011-074.

Sincerely,

Howard Levitt  
FOIA Officer

Howard Levitt  
Director of Communications and Partnerships  
Golden Gate National Recreation Area  
Building 201, Fort Mason  
San Francisco, California 94123  
phone: 415 561-4730  
fax: 415 561-4710  
mobile: 415 725-8589

-----  
Experience Your America  
Skot Jonz



ALL LE & USPP INCIDENTS GGNRA 2007-2010.xlsx

NPS-2011-00361

NPS-2011-00362

NPS-2011-0036363



Arnita Bowman

(b) (6)

03/03/2011 07:25 AM

To Kevin - NPS West FOIA Killeen <kevin\_killeen@nps.gov>, Howard - GGNRA Levitt <howard\_levitt@nps.gov>  
cc skot\_jonz <skot\_jonz@nps.gov>

bcc

Subject RE: Freedom of Information Act Request for GGNRA: Visitation and Environment Inventory Information Requests

History: This message has been forwarded.

**As a follow-up on my FOIA request, I am removing the following two items (E & H) from my FOIA request. I attended the public meeting last night and was able to speak with rangers to address these questions.**

I must commend the NPS and the rangers on the meeting. The park rangers and, particularly, Bill Merkle were excellent and quite professional in responding to everyone's questions. I definitely got insights to help me with looking at the DEIS and the impact of the dogs on the park. Having the public comment website and boards also allows us to move on instead of having to resolve any difference of opinion there. Thank you.

~~**H: Summary reports from any wildlife, soil, or vegetation inventories or monitoring performed for Sweeney Ridge or Cattle Hill, including Notch Trail.**~~

~~**E: An example of GGNRA evidence (e.g., inventories, email, ranger reports, etc.) of quail or other ground dwelling birds currently existing in San Mateo County GGNRA Park Areas.**~~

From: (b) (6)

To: kevin\_killeen@nps.gov; howard\_levitt@nps.gov

CC: skot\_jonz@nps.gov

Subject: Freedom of Information Act Request for GGNRA: Visitation and Environment Inventory Information Requests

Date: Mon, 28 Feb 2011 12:05:40 -0800

Dear Mr. Levitt and Mr. Killeen,

I am sending you a Freedom of Information Act email request for documents to support the information and "No Action" alternative conclusions in the 2400 page GGNRA Draft Dog Management Plan – DEIS. I am quite concerned that the adverse impacts to Bay Area Public Health and Safety from the "Preferred" alternative impacts ignores the high current usage of the GGNRA for human exercise and meditation and for socializing and creating very safe dogs. I'm also concerned that the 2400 pages lists extensive moderate and minor environmental impacts that are generally supported by speculation and have little scientific evidence of actual adverse impacts from over 30 years of dogs in the park. When I look at and search the GGNRA inventories and monitoring on the website, I only find references to dogs related to the Western Snowy Plover.

I would appreciate your expediting this request due to the constraints of the 90 day period for GGNRA dog management plan public comments which closes in April. My purpose is to provide a community service by providing people with additional information regarding the impacts of the "No Action" alternative and the adverse impacts of the "Preferred" alternatives. Because this is a community service and reporting information to the public, I would appreciate a fee waiver.

The list of documents/records I am requesting is in the attached documents. I've attached a Word and PDF version for your convenience. Please give me a call at (b) (6) if you'd like to discuss so that we can make the search as fast and efficient as possible for the GGNRA. I'd prefer to receive the documents on a CD or via email. If the cost is too prohibitive, I can come to the GGNRA office to view the requests (other than the data records request) or can access them on-line if a URL is provided. If the information is not readily available, please provide me with that information.

If the fee to me is expected to be more than \$50 (except request D) for one individual FOIA Request item, please let me know before processing that specific individual request. However, please immediately proceed with the other requests that are not expected to cost me more than \$50 each. For FOIA request B (Phone Survey Data), please proceed with request B unless it is expected to be more than \$100. If more than \$100, please provide me with an explanation of why. Large fees may cause me to narrow my request for a specific item. I can also come to a Bay Area office to review the information if that would reduce the costs significantly.

I will be happy to provide the Park Service with my analysis once it is completed. I'm sure I will be including this information in the public response to the DEIS.

Please send me an email with your estimation of when I should expect to receive the information and letting me know you received this email.

Thanks in advance for your assistance in this matter.

Sincerely,  
Arnita Bowman

(b) (6)  
[Redacted signature block]



Kevin Killeen/Seattle/NPS

03/14/2011 05:21 PM

To Arnita Bowman (b) (6)

cc Howard - GGNRA Levitt <howard\_levitt@nps.gov>, skot jonz <skot\_jonz@nps.gov>

bcc

Subject FOIA: NPS-2011-00361 - Visitation and Environment Inventory Information Requests

Hello Ms. Bowman,

The National Park Service received your FOIA request dated February 28, 2011 on February 28, 2011 and assigned it Request No. NPS-2011-00361. Please reference this number on correspondence concerning your request.

Staff at Golden Gate National Recreation area has begun reviewing your request.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

Arnita Bowman (b) (6)



Arnita Bowman

(b) (5)  
m>

02/28/2011 12:05 PM

To <kevin\_killeen@nps.gov>, Howard - GGNRA Levitt <howard\_levitt@nps.gov>

cc skot jonz <skot\_jonz@nps.gov>

Subject Freedom of Information Act Request for GGNRA: Visitation and Environment Inventory Information Requests

Dear Mr. Levitt and Mr. Killeen,

I am sending you a Freedom of Information Act email request for documents to support the information and "No Action" alternative conclusions in the 2400 page GGNRA Draft Dog Management Plan – DEIS. I am quite concerned that the adverse impacts to Bay Area Public Health and Safety from the "Preferred" alternative impacts ignores the high current usage of the GGNRA for human exercise and meditation and for socializing and creating very safe dogs. I'm also concerned that the 2400 pages lists extensive moderate and minor environmental impacts that are generally supported by speculation and have little scientific evidence of actual adverse impacts from over 30 years of dogs in the park. When I look at and search the GGNRA inventories and monitoring on the website, I only find references to dogs related to the Western Snowy Plover.

I would appreciate your expediting this request due to the constraints of the 90 day period for GGNRA dog management plan public comments which closes in April. My purpose is to provide a community service by providing people with additional information regarding the impacts of the "No Action" alternative and the adverse impacts of the "Preferred" alternatives. Because this is a community service and reporting information to the public, I would appreciate a fee waiver.

The list of documents/records I am requesting is in the attached documents. I've attached a Word and PDF version for your convenience. Please give me a call at 650 873 4828 if you'd like to discuss so that we can make the search as fast and efficient as possible for the GGNRA. I'd prefer to receive the documents on a CD or via email. If the cost is too prohibitive, I can come to the GGNRA office to view the requests (other than the data records request) or can access them on-line if a URL is provided. If the information is not readily available, please provide me with that information.

If the fee to me is expected to be more than \$50 (except request D) for one individual FOIA Request item, please let me know before processing that specific individual request. However, please immediately proceed with the other requests that are not expected to cost me more than \$50 each. For FOIA request B (Phone Survey Data), please proceed with request B unless it is expected to be more than \$100. If more than \$100, please provide me with an explanation of why. Large fees may cause me to narrow my request for a specific item. I can also come to a Bay Area office to review the information if that would reduce the costs significantly.

I will be happy to provide the Park Service with my analysis once it is completed. I'm sure I will be including this information in the public response to the DEIS.

Please send me an email with your estimation of when I should expect to receive the information and letting me know you received this email.

Thanks in advance for your assistance in this matter.

Sincerely,  
Arnita Bowman

(b) (6)

[Redacted signature block]



650 873 4828 FOIA Request for Arnita Bowman.2-28-11.pdf FOIA Request for Arnita Bowman.2-28-11.docx

## Freedom of Information Request for Arnita Bowman

2/28/2011

Priority	FOIA Request	Specific Request or Background Information
A	<b>A: Visitation Counts</b>	<ul style="list-style-type: none"> <li>GGNRA detailed procedures or method for calculating visitation for the overall park and for specific DEIS scope park areas</li> <li>GGNRA summaries of overall park and specific DEIS scope park area visitation for 2008, 2009, and 2010</li> </ul> <p>My purpose is to understand why the GGNRA annual visitation numbers at 15 million seems to be significantly lower than one would expect when calculating the 37 million expected dog visitors using the 2002 Phone Survey and the 2008 Census Data.</p> <p>I also want to understand the actual visitation for each of the park areas included in the DEIS.</p>
A	<b>B: Detailed Data Records for Each Call from the 2002 Public Opinion Research Telephone Survey Regarding Golden Gate National Recreation Area Pet Management Issues</b>	<p>I am requesting the unfiltered, detailed survey answers to each question in an electronic data format such as excel, a comma delimited file, or other common data formats. The electronic data records should include the data field headers that indicate the content of the fields. If available, please provide the phone questioning call script and any supporting documentation that explains the contents of the data field.</p> <p>As background, my purpose is to understand the GGNRA visitation patterns of dog people in comparison to non-dog people and those that dislike dogs or off-leash dogs. I also want to understand the "recreational" GGNRA visitation patterns of the Bay Area population. Based on my calculations from the survey results, it seems that the park is visited far more than 15 million times per year for recreation.</p>
B	<b>C: Park Surveys with Visitor Experience Questions</b>	<ul style="list-style-type: none"> <li>A list of known surveys conducted regarding visitor experience related to any of the park areas within the scope of the DEIS. (e.g., Research to Support Visitor Management at Muir Woods National Monument and Muir Beach)</li> <li>The summaries of the visitor responses with the questions, response counts, and any visitor notes.</li> </ul> <p>My purpose is to understand the actual responses and to put those in context.</p>
B	<b>D: Veek 2006 Communication</b>	<ul style="list-style-type: none"> <li>Personal communication 2006 regarding Health and Human Safety. Reference from the DEIS.</li> </ul>
B	<b>E: An example of GGNRA evidence (e.g.,</b>	<p>As background for my request, I have seen quail in Marin County parks, that allow dogs, but never in the San Mateo GGNRA parks. My understanding is that the California Quail has to be near a fresh water source which is not the conditions along the Milagra or Sweeney Ridge trails. I have never even</p>

	<p><b>inventories, email, ranger reports, etc.) of quail or other ground dwelling birds currently existing in San Mateo County GGNRA Park Areas.</b></p>	<p>seen quail along the San Andreas Fault trails which don't allow dogs and has fresh water nearby. I have seen references to quail at places such as the Bog Trail that winds through San Bruno Mountain Park's "Saddle Area," a wet, riparian area at the foot of the mountain. However, quail and ground-dwelling birds are used as one reason for the Sweeney Ridge moderate adverse impact.</p> <p>I see no evidence at Sweeney Ridge of even minor impacts to wildlife caused by the 0.5 % of the park that is trails used for recreation and that often have off-leash dogs. Instead, I see a thriving population of birds, reptiles, ground-dwelling rodents, deer, and rabbits along the trail and have seen mountain lions, coyotes, and bobcats, which indicate a healthy ecosystem. The quail question is my nagging doubt.</p> <p><b>For this request, the name of a ranger that can discuss the quail, ground dwelling activity in San Mateo county would be sufficient.</b></p>
<p><b>B</b></p>	<p><b>F: Any quantifiable measurement guidelines used internally by the NPS for determining negligible, minor, moderate, or major adverse impacts in the DEIS.</b></p>	<p>For example, I'm looking for <b>percentage</b> of vegetation degradation that would indicate a certain adverse impact category in the DEIS. For example, I doubt that more than 0.5% of Sweeney Ridge shows any degradation from human or dog recreational activities and most of that 0.5% is just the fire roads and those are required for park management.</p>
<p><b>B</b></p>	<p><b>G: Any evidence of diseases transmitted to people, children or wildlife due to dogs in the GGNRA</b></p>	<p>The DEIS indicates that dogs "may" transmit diseases via feces to people or children and canine disease transmission. Is there any known GGNRA (e.g., reports, emails, etc.) evidence linking actual disease transmission to people or animals that was used to support the DEIS impact statement? If so, please provide.</p>
<p><b>C</b></p>	<p><b>H: Summary reports from any wildlife, soil, or vegetation inventories or monitoring performed for Sweeney Ridge or Cattle Hill, including Notch Trail.</b></p>	<p>I see little visible evidence of any more than negligible impacts on Sweeney Ridge from human or dog recreational activities.</p>

C	<p><b>I: Any evidence (e.g., emails or ranger reports) of any dog activity along Sweeney Notch Trail (e.g., emails, ranger reports, etc.) supporting the minor adverse impact of dogs on the Mission Blue Butterfly.</b></p>	<p>I'm not aware that any dogs or at most a few dogs are going to this area of the park.</p> <p><b>For this request, the name of a ranger that can describe dog activity on the trail would be sufficient and I will contact them for a brief discussion.</b></p>
C	<p><b>K: The evidence of dogs spotting northern spotted owl fledglings on the ground and altering owners to the fledglings (pg 1112) and any evidence of injury to the fledglings by the dogs.</b></p>	<p>I've looked at the data on the website and see nothing in regards to dogs impacting the owl. In fact these populations of owls seem to be doing quite well and these areas have off-leash dogs. Looking at the web, biologists in California actual use tracking dogs to complete their inventories of the owl; which to me indicates that dogs represent and insignificant risk to the owl.</p>
C	<p><b>M: Any soil testing indicating significant soil degradation due to dog feces</b></p>	<p>The DEIS indicates that dogs may degrade the soil due to feces. Is there any known GGNRA (e.g., reports, emails, etc.) testing evidence supporting the DEIS impact statement related to feces accumulation and any significant changes in a park area's soil composition? If so, please provide.</p>
D	<p><b>N: Summary reports from any wildlife, soil, or vegetation inventories or monitoring performed in the park areas within the scope of the</b></p>	<p>As background, I have the link to the <a href="http://science.nature.nps.gov/im/units/sfan/inventories.cfm">http://science.nature.nps.gov/im/units/sfan/inventories.cfm</a> NPS Inventory Monitoring website but I see little to support the moderate or minor adverse wildlife, vegetation, or soil statements in the DEIS. I also can only find dogs referenced in regards to the Western Snowy Plover and not any regarding dogs having an adverse impact on the inventories of any other wildlife, vegetation, water, or soils.</p> <p>Examples that are listed in the DEIS references include but I do not have access to this GGNRA data:</p>

	<p>DEIS that support the DEIS claims of the "No Action" alternative having moderate or minor adverse impacts on water, wildlife, vegetation, or soil. Please exclude the Western Snowy Plover since I have found those references.</p>	<ul style="list-style-type: none"> <li>o Dylbala 2002, Golden Gate National Recreation Area Winter 2001-2002 Waterbird Survey Results, Prepared for GGNRA:</li> <li>o Newby 2000, San Bruno Elfin Butterfly Survey, Milagra Ridge, Golden Gate National Recreation Area, Site Stewardship Program, GGNP Association</li> <li>o Fong/Campo 2006, Calendar Years 2003-2005 California Red-Legged Frog Surveys, GGNRA</li> <li>o USGS 2004, Wildlife Response to Habitat Restoration in Fort Funston, GGNRA, Final Report prepared for the NPS, Nov 2004</li> <li>o Semnoff-Irving/Howell 2005 Pilot Inventory of Mammals, Reptiles, and Amphibians, GGNRA 1990-1997, Open file Report 2005-1381, USGS</li> <li>o 2000 Inventory of Benthic Invertebrates in Sandy Intertidal and Beach Habitats, Ocean Beach, San Francisco: Final Report</li> <li>o USGS 2008, Level 1 Water Quality Inventory of Baseline Levels of Pesticides in Urban Creeks – GGNRA and the Presidio, Data Series 338 p12, prepared by Hladik and Orlando.</li> </ul>
<p><b>D</b></p>	<p><b>O: Any quantifiable analysis with specific measurements of the human and/or dog impacts vegetation or soil in the closed areas at Fort Funston, Crissy Field, Lands End, Ocean Beach, or Baker Beach.</b></p>	<p>Other than the Children's Dune Play area, some minor social trails and along the fence edge, I see little evidence that the vegetation in the closed areas is more than negligibly impacted.</p>

Howard Levitt /GOGA/NPS  
04/19/2011 12:17 PM

To (b) (6)  
cc Skot Jonz/GOGA/NPS@NPS, Kevin  
Killeen/Seattle/NPS@NPS, Dee  
Sousa/OAKLAND/NPS@NPS, "Dee Bardwick"  
bcc

Subject Partial responses to your FOIA requests # NPS2011-00361;  
00362; 00363

Dear Ms. Bowman:

We have prepared a DVD with partial responses to your FOIA requests, and will put it in the mail by Wednesday, April 20. The items included on the DVD are enumerated below. We will provide additional information as soon as we receive it from those who are undertaking the searches for the requested information.

If you would prefer to pick up the DVD today, please call Skot Jonz at 415 561-4734.

Howard Levitt

Regarding FOIA Tracking #NPS-2011-00361:

The following is provided in response to Item A:  
See <http://www.nature.nps.gov/stats/park.cfm?parkid=296>

The following is provided in response to Item B:  
County and Regional Dataset Dictionaries  
County and Regional SPSS Datasets

The following is provided in response to Item N:  
2010 MBB Survey Milagra  
Ft Funston USGS VegReport 2004  
Winter 2001-2002 Waterbird Survey Report

Regarding FOIA Tracking #NPS-2011-00362:

The following is provided in response to Item 1. [For last three years] All formal GGNRA tickets, warnings, or complaints regarding dog bites/attacks, rescues, closed areas, and wildlife disturbances. 2008 and 2009 pet-related incident reports are posted on the FOIA Electronic Reading Room at <http://www.nps.gov/goga/parkmgmt/foia-reading.htm>  
2010 pet-related incident reports are in the process of being posted at the same location

The following is provided in response to Item 3. Any documentation of actual disease/illness transmission from dogs to people in the GGNRA.  
This is a duplicate request from FOIA # 2011-00361, Item G. This information will be provided at a later date.

Regarding FOIA Tracking #NPS-2011-00363:

The following is provided in response to Item #A1 and #A2: The summary of actual expenditures for this GGNRA dog management plan project fund for as many years as is available (please include expenditures for all phases of the project even if the project funding is split by different phases). If a summary is not available, please provide the detailed expenditures. The approved budgets/funds showing the total cost (actual/projected) for the GGNRA dog management plan project (including all phases) for as many years as is available.

Howard Levitt /GOGA/NPS  
04/19/2011 12:17 PM

To (b) (6)  
cc Skot Jonz/GOGA/NPS@NPS, Kevin  
Killeen/Seattle/NPS@NPS, Dee  
Sousa/OAKLAND/NPS@NPS, "Dee Bardwick"  
bcc

Subject Partial responses to your FOIA requests # NPS2011-00361;  
00362; 00363

Dear Ms. Bowman:

We have prepared a DVD with partial responses to your FOIA requests, and will put it in the mail by Wednesday, April 20. The items included on the DVD are enumerated below. We will provide additional information as soon as we receive it from those who are undertaking the searches for the requested information.

If you would prefer to pick up the DVD today, please call Skot Jonz at 415 561-4734.

Howard Levitt

Regarding FOIA Tracking #NPS-2011-00361:

The following is provided in response to Item A:  
See <http://www.nature.nps.gov/stats/park.cfm?parkid=296>

The following is provided in response to Item B:  
County and Regional Dataset Dictionaries  
County and Regional SPSS Datasets

The following is provided in response to Item N:  
2010 MBB Survey Milagra  
Ft Funston USGS VegReport 2004  
Winter 2001-2002 Waterbird Survey Report

Regarding FOIA Tracking #NPS-2011-00362:

The following is provided in response to Item 1. [For last three years] All formal GGNRA tickets, warnings, or complaints regarding dog bites/attacks, rescues, closed areas, and wildlife disturbances. 2008 and 2009 pet-related incident reports are posted on the FOIA Electronic Reading Room at <http://www.nps.gov/goga/parkmgmt/foia-reading.htm>  
2010 pet-related incident reports are in the process of being posted at the same location

The following is provided in response to Item 3. Any documentation of actual disease/illness transmission from dogs to people in the GGNRA.  
This is a duplicate request from FOIA # 2011-00361, Item G. This information will be provided at a later date.

Regarding FOIA Tracking #NPS-2011-00363:

The following is provided in response to Item #A1 and #A2: The summary of actual expenditures for this GGNRA dog management plan project fund for as many years as is available (please include expenditures for all phases of the project even if the project funding is split by different phases). If a summary is not available, please provide the detailed expenditures. The approved budgets/funds showing the total cost (actual/projected) for the GGNRA dog management plan project (including all phases) for as many years as is available.

Howard Levitt/GOGA/NPS

05/05/2011 05:01 PM

To (b) (6)

cc Skot Jonz/GOGA/NPS@NPS, Kevin  
Killeen/Seattle/NPS@NPS

bcc

Subject FOIAs NPS 2011-2011-00361, 362, 363

Ms. Bowman:

The following information is provided to you in response to FOIAs NPS-2011-00361, 362, and 363. With this response, we consider FOIA NPS -2011-00363 to be complete. Additional information to complete our responses to FOIAs NPS 2011-00361 and 00362 will be sent to you as we receive it. Please let me know via email when you have received the CD containing electronic files of much of the information in this response.

**Regarding FOIA NPS-2011-00361:**

**Item A:** Visitation Counts:

<http://www.nature.nps.gov/stats> is a website that contains all the information you seek through an easy-to-use search feature. You may generate a variety of reports for any national park. You are welcome to perform additional searches and generate reports to meet your needs. For your convenience, we provide PDFs of the following reports that are responsive to your request.

Public Use Counting and Reporting Instructions  
GGNRA Yearly Recreational Visitors  
GGNRA December 2008 Report  
GGNRA December 2009 Report  
GGNRA December 2010 Report

**Item B:** Provided in prior response

**Item C:** PENDING

**Item D:** PENDING

**Item E:** PENDING

**Item F:** Any quantifiable measurement guidelines used internally by the NPS for determining negligible, minor, moderate, or major adverse impacts in the DEIS:  
Quantifiable measurement guidelines were not used to determine impact thresholds for the resources at GGNRA

**Item G:** Any evidence of diseases transmitted to people, children or wildlife due to dogs in the GGNRA.

None in GGNRA, however, the following literature from other areas will be sent to you on a CD:

FDA Article on diseases from pets  
AVMA 2011  
CRCCD 2009  
FDA Worms

**Item H:** Summary reports from any wildlife, soil, or vegetation inventories or monitoring performed for Sweeney Ridge or Cattle Hill, including Notch Trail:

The following will be sent to you on a CD:

URS 2010 Figures - file containing multiple files

URS Corporation, 2010 Report, *Golden Gate National Recreation Area: Sensitive Habitat Mapping for the GGNRA Newly Acquired and Expansion Lands, San Mateo County, CA.* April.

USFWS, 1995, Report, *Formal Endangered Species Consultation and Conference on the National Park Service's Proposed Recreational and Resource Management Activities in the Golden Gate National Recreation Area, San Mateo County, California.* Biological Opinion. USFWS, Sacramento, California. March.

No soil studies for this area exist.

**Item I:** Any evidence of any dog activity along Sweeney Notch Trail supporting the minor adverse impact of dogs on the Mission Blue Butterfly:  
Sweeney Ridge/Cattle Hill has documented low to moderate use by dog walkers; it was assumed that dogs could gain access to the Notch Trail from Sweeney Ridge/Cattle Hill. Fifty-five leash law violations occurred at Sweeney Ridge/Cattle Hill in 2007/2008 (table 9). The mission blue butterfly is known to occur along the Notch Trail at Sweeney Ridge and the host plants are known to occur in other areas at Sweeney Ridge (USFWS 1995, 3-see response to H above).

**Item K:** PENDING

**Item M:** Any soil testing indicating significant soil degradation due to dog feces.  
*No literature was cited.*

**Item N:** Summary reports from any wildlife, soil, or vegetation inventories or monitoring performed...

The following will be sent to you on a CD:

URS, 2010, Report, *Golden Gate National Recreation Area: Sensitive Habitat Mapping for the GGNRA Newly Acquired and Expansion Lands, San Mateo County, CA.* April. 2010

URS-2010 figures - same information as provided for Item H

USGS Report, *Level 1 Water Quality Inventory*

USGS Report, 2005, Pilot Inventory of Mammals, Reptiles, and Amphibians, GGNRA, 1990-1997

URS, 2010 Report, *Final Sensitive Habitat Report*, April 2010

**Item O:** Any quantifiable analysis with specific measurements of the human and/or dog impacts vegetation or soil in the closed areas at Fort Funston, Crissy Field, Lands End, Ocean Beach, or Baker Beach:  
*No literature was cited.*

### **Regarding FOIA NPS-2011-00362**

**Item 1** – Provided in prior response

**Item 2** – PENDING REDACTION of informal complaints

**Item 3** – Repeat of request FOIA #2011-00361, Item G. Provided above.

**Regarding FOIA NPS-2011-00363**

**Item A:** Provided in prior response.

**Item B:** Provided in prior response.

**Item C:**

The following will be provided to you on a CD:

2011 Budget Authorization and Program Summary

2011 Budget Authorization and Program Summary – Additional Project Funds

Howard Levitt  
Director of Communications and Partnerships  
Golden Gate National Recreation Area  
Building 201, Fort Mason  
San Francisco, California 94123  
phone: 415 561-4730  
fax: 415 561-4710  
mobile: 415 725-8589

-----  
Experience Your America

Howard Levitt/GOGA/NPS

06/03/2011 12:30 PM

To (b) (6)

cc Kevin Killeen/Seattle/NPS@NPS, Skot  
Jonz/GOGA/NPS@NPS, Dee  
Sousa/OAKLAND/NPS@NPS

bcc

Subject FOIA NPS-2011-00361

History:

Dear Ms. Bowman:

The following documents are provided to you in response to FOIA NPS-2011-00361. Additional information to complete our responses to FOIA NPS 2011-00361 and NPS 2011-00362 will be sent to you as we receive it.

**Regarding FOIA NPS-2011-00361**

**Item E:** "An example of GGNRA evidence (e.g., inventories, email, ranger reports, etc.) of quail or other ground dwelling birds currently existing in San Mateo County GGNRA Park Areas."

**Developing Habitat-based Landbird Models as Planning Tools for the Golden Gate National Recreation Area and the Point Reyes National Seashore Final Report, July 2007**

**San Mateo County Breeding Bird Atlas**

These items are attached to this email.

[attachment "GGNPC\_PRBO\_Final.pdf" deleted by Kevin Killeen/Seattle/NPS] [attachment "SM Grnd nesting birds SM Breeding Bird Atlas.pdf" deleted by Kevin Killeen/Seattle/NPS]

Howard Levitt

Howard Levitt  
Director of Communications and Partnerships  
Golden Gate National Recreation Area  
Building 201, Fort Mason  
San Francisco, California 94123  
phone: 415 561-4730  
fax: 415 561-4710  
mobile: 415 725-8589

-----  
Experience Your America

Howard Levitt /GOGA/NPS  
01/09/2012 12:29 PM

To (b) (6)  
cc Skot Jonz/GOGA/NPS@NPS, Kevin  
Killeen/Seattle/NPS@NPS  
bcc  
Subject FOIA 2011-00361

Skot Jonz  
Dear Arnita:

We are writing to inform you of final documents responsive to FOIA 2011-00361, specifically Items C, D, I, and K.

In response to FOIA 2011-00361 (ITEM C) requesting Park Surveys with Visitor Experience Questions, that and other related documents are posted on our website at:  
<http://www.nps.gov/goga/parkmgmt/anpr-background.htm>

Additionally, the following responsive documents are posted in our FOIA Electronic Reading Room at:  
<http://www.nps.gov/goga/parkmgmt/foia-reading.htm>

- Roberts, Nina S., PhD, *Visitor/Non-Visitor Use Constraints: Exploring Ethnic Minority Experiences and Perspectives*. SFSU General Technical Report submitted to Golden Gate National Recreation Area and Golden Gate National Parks Conservancy. March 2007. (68 pages, PDF)
- Summer-Fall 2008 Phase 1 Visitor Survey and Counts, At Crissy Field, Presidio and Ocean Beach Sites; Golden Gate National Recreation Area. Patrick Tierney, SFSU. November 2009. (108 pages, PDF)
- Golden Gate National Recreation Area Follow-Up Visitor Survey, Peer Review Report, v.1.0. Public Research Institute, SFSU. (136 pages, PDF)
- Lenth, Benjamin E., et al. *The Effects of Dogs on Wildlife Communities*. Natural Areas Journal. Vol. 28(3), 2008. page 218-227. (10 pages, 800KB, PDF)

In response to FOIA 2011-00361 (ITEM D) requesting personal communication 2006 regarding health and human safety: "Conflicts typically involve verbal abuse, though physical assaults on staff have occurred (Veeck, pers. comm. 2006)" (pg 1595).

In response to FOIA 2011-00361 (ITEM I) requesting "Any evidence (emails or ranger reports) of any dog activity along Sweeney Notch Trail supporting the minor adverse impact of dogs on the Mission Blue Butterfly."

- Per Bill Merkle, NPS Wildlife Ecologist, "Because no dogs are allowed on this trail, I do not have evidence of dog use of Notch Trail."

In response to FOIA 2011-00361 (ITEM K) requesting "The evidence of dogs spotting northern spotted owl fledglings on the ground and alerting owners to the fledglings and any evidence of injury to the fledglings by the dogs."

- Email correspondence between Bill Merkle and Mia Monroe, attached.



2011-00361\_email\_corresp\_re\_owl\_fledglings\_REDACTED.pdf

We believe this represents all documents in possession of NPS responsive to FOIA requests 2011-00361, 2011-00362, and 2011-00363. Please reply to this email acknowledging that the responses in this email,

and documents we have provided to you to date, fulfill your multiple requests under these three FOIA numbers.

Sincerely,

Howard Levitt  
Director of Communications and Partnerships  
Golden Gate National Recreation Area  
Building 201, Fort Mason  
San Francisco, California 94123  
phone: 415 561-4730  
fax: 415 561-4710  
mobile: 415 725-8589



Kevin Killeen /Seattle/NPS  
03/14/2011 05:32 PM

To Arnita Bowman (b) (6)  
cc Howard - GGNRA Levitt <howard\_levitt@nps.gov>, skot jonz <skot\_jonz@nps.gov>  
bcc  
Subject FOIA: NPS-2011-0362 - Ranger Tickets & Public Health Information

Hello Ms. Bowman,

The National Park Service received your FOIA request below dated March 14, 2011 and assigned it Request No. NPS-2011-00362. Please reference this number on any subsequent correspondence regarding your request.

Staff at Golden Gate National Recreation area has begun reviewing your request.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

Arnita Bowman (b) (6)



Arnita Bowman  
(b) (6)  
>  
03/14/2011 10:25 AM

To Kevin - NPS West FOIA Killeen <kevin\_killeen@nps.gov>, Howard - GGNRA Levitt <howard\_levitt@nps.gov>  
cc skot jonz <skot\_jonz@nps.gov>  
Subject Freedom of Information Act Request for GGNRA: Ranger Tickets & Public Health Information

Dear Mr. Levitt and Mr. Killeen,

I am sending you a Freedom of Information Act email request for documents to support the NPS conclusions regarding Public Health and Safety in the draft GGNRA dog management plan and statements made to the media. I already requested most of this information and was assured the information would soon be available to the public so I agreed to remove my prior FOIA request. However, the information has not been provided in a reasonable time period, and I am submitting another FOIA for this information. My request is only for documents that are available (e.g., for the past 3 years) and is not for personal information.

My detailed request (with the amounts I'm authorizing) includes the following:

1. **All formal GGNRA tickets, warnings, or complaints** regarding dog bites/attacks, rescues, closed areas, and wildlife disturbances. (Maximum amount authorized: \$300)
2. **Any documentation of informal complaints** regarding dog bites/attacks, rescues, closed areas, wildlife disturbances, or other injuries to people or wildlife by dogs. (Maximum amount authorized: \$50)
3. **Any documentation of actual decease/illness transmission** from dogs to people in the GGNRA. (Maximum amount authorized: \$25)

I would appreciate your expediting this request due to the constraints GGNRA dog management plan public comments which closes in May. My purpose is to provide a community service by providing people with additional information regarding the drafted dog management plan. Because this is a community service and reporting information to the public, I would appreciate a fee waiver. However, I am authorizing the amounts above for each of my requests. I appreciate that I am requesting quite a large amount of information but the large scope of the DEIS and the potential impact on the community makes this necessary.

I'd prefer to receive the documents on a CD or via email. If the cost is too prohibitive, I can come to the GGNRA office to view the requests or can access them on-line if a URL is provided. If the information is not readily available, please provide me with that information.

I will be happy to provide the Park Service with my analysis once it is completed. I'm sure I will be including this information in the public response to the DEIS.

Please send me an email with your estimation of when I should expect to receive the information and letting me know you received this email.

Thanks in advance for your assistance in this matter.

Sincerely,  
Arnita Bowman

(b) (6)





Kevin Killeen/Seattle/NPS  
03/14/2011 05:44 PM

To Arnita Bowman (b) (6)  
cc Howard - GGNRA Levitt <howard\_levitt@nps.gov>, skot jonz  
<skot\_jonz@nps.gov>  
bcc  
Subject FOIA: NPS-2011-00363 - Financial Information and General  
Management Plan

Hello Ms. Bowman,

The National Park Service received your FOIA request below dated March 14, 2011 and assigned it Request No. NPS-2011-00363. Please reference this number on any subsequent correspondence regarding your request.

Staff at Golden Gate National Recreation area has begun reviewing your request.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

Arnita Bowman (b) (6)



Arnita Bowman  
(b) (6)  
>  
03/14/2011 10:52 AM

To Kevin - NPS West FOIA Killeen <kevin\_killeen@nps.gov>,  
Howard - GGNRA Levitt <howard\_levitt@nps.gov>  
cc skot jonz <skot\_jonz@nps.gov>  
Subject GGNRA Freedom of Information Act Request: Financial  
Information and General Management Plan

Dear Mr. Levitt and Mr. Killeen,

I am sending you a Freedom of Information Act email request for information regarding the cost of the GGNRA dog management plan and the mandate for the plan. My detailed request regarding the detailed GGNRA financial information and General Management Plans (with the amounts I'm authorizing) includes the following:

**Request #A related to the Cost of the GGNRA Dog Management Plan:**

1. **The summary of actual expenditures for this GGNRA dog management plan project fund for as many years as is available (please include expenditures for all phases of the project even if the project funding is split by different phases). If a summary is not available, please provide the detailed expenditures. (Maximum amount: \$25)**
2. **The approved budgets/fund showing the total cost (actual/projected) for the GGNRA dog management plan project (including all phases) for as many years as is available. (Maximum**

- amount: \$50)
3. Hours and overtime costs for the DEIS Public Open House Meetings, if not in 2 above.

**Request #B regarding the GGNRA General Management Plan:**

1. The active GGNRA General Management Plan, if any (Maximum amount: \$25)
2. The current draft of the proposed GGNRA General Management Plan (Maximum amount: \$100)

Reference:

<http://parkplanning.nps.gov/document.cfm?parkID=303&projectID=15075&documentID=28961>.

3. Most recent GGNRA internal status update on the GGNRA General Management Plan with the projected timeline for future activities and implementation (Maximum amount: \$25)

**Request #C regarding GGNRA Budgets:**

2011 GGNRA approved budget summary for all funds (e.g., general, special, revolving, etc.) managed by the GGNRA (Maximum amount: \$25)

I would appreciate your expediting this request due to the constraints GGNRA dog management plan public comments which closes in May. My purpose is to provide a community service by providing people with additional information regarding the drafted dog management plan. Because this is a community service and reporting information to the public, I would appreciate a fee waiver. However, I am authorizing the amounts above for each of my requests. I appreciate that I am requesting quite a large amount of information but the large scope of the DEIS and the potential impact on the community makes this necessary.

I'd prefer to receive the documents on a CD or via email. If the cost is too prohibitive, I can come to the GGNRA office to view the requests or can access them on-line if a URL is provided. If the information is not readily available, please provide me with that information. Please do not hesitate to call me to clarify my request if the request is unclear or if you have suggestion for other documents that would provide the same information.

I will be happy to provide the Park Service with my analysis once it is completed. I'm sure I will be including this information in the public response to the DEIS.

Please send me an email with your estimation of when I should expect to receive the information and letting me know you received this email.

Thanks in advance for your assistance in this matter.

Sincerely,  
Arnita Bowman

(b) (6)



NPS-2011-00774

NPS-2011-00860

NPS-2011-00861

NPS 10-339  
NEW (12/04)

FOIA REQUEST FORM

NATIONAL PARK SERVICE

DATE: 7-30-2011

NATIONAL PARK SERVICE

(PARK NAME, ADDRESS AND TELEPHONE NUMBER)

LAKE ROOSEVELT (Spring canyon) ATTN: DAN FANGEN-GRITIS  
1008 CREST DR  
COUCEE DAM, WA 99116

SUBJECT: REQUEST FOR INFORMATION UNDER FOIA/PRIVACY ACT

UNDER THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT (5 U.S.C. 552), I AM REQUESTING A COPY OF ANY DOCUMENTS PERTAINING TO MOTOR VEHICLE ACCIDENT REPORTS. PERTAIN TO ME (OR THE PERSON I REPRESENT) THAT IS MAINTAINED IN THE NATIONAL PARK SERVICE. I SPECIFICALLY REQUEST THE FOLLOWING:

(CASE INCIDENT REPORT NUMBER AND DATE OF INCIDENT)

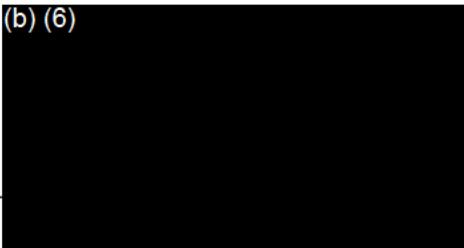
July 30<sup>th</sup> 2011 1630hrs Case # 11-0110

PLEASE SEND THE REQUESTED INFORMATION TO THE FOLLOWING ADDRESS:

(b) (6)  
  

Please include a picture  
of the dog if available.  
Thanks.

SINCERELY,

(b) (6)  


**Lorie  
Carstensen/LARO/NPS**

10/19/2012 08:34 AM

To Kevin Killeen/Seattle/NPS@NPS

cc

bcc

Subject Re: Copies of close out letters for FOIAs (11-0860,  
11-0861) (Also 11-0774)

Reply to 11-0774 did not have a cover letter.

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**

10/16/2012 04:52 PM

To Lorie Carstensen/LARO/NPS@NPS

cc Doug Houck/Seattle/NPS@NPS, Natalie  
Gates/PORE/NPS@NPS

Subject Re: Copies of close out letters for FOIAs (11-0860, 11-0861)  
t (Also 11-0774)[Notes Link](#)

Thanks Lorie. Please confirm this was also true for 11-0774 (the third request for the same record) so I can close this out as well.

Thank you.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

**Lorie  
Carstensen/LARO/NPS**

10/15/2012 01:15 PM

To Kevin Killeen/Seattle/NPS@NPS

cc Natalie Gates/PORE/NPS@NPS, Doug  
Houck/Seattle/NPS@NPS

Subject Re: Copies of close out letters for FOIAs (11-0860,  
t 11-0861)[Notes Link](#)

Kevin

It appears these were requests for case incident reports and we sent out to requester in full without cover letter. In the future we will be sure and include a cover letter with incident reports.

Lorie

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**

10/15/2012 11:11 AM

To Lorie Carstensen/LARO/NPS@NPS

cc Doug Houck, Natalie Gates/PORE/NPS@NPS

Subject: Copies of close out letters for FOIAs (11-0860, 11-0861)  
t

Hi Lorie,

The DOI FOIA Officer is putting considerable pressure on us to work on the some open FOIAs, so I've been going back looking through the records.

For these two FOIAs from (b) (6) and Taylor Stoth, we never received copies of the cover letter (or email) you sent with the records you sent to the requester (although we have the records). See the note below from Dee Sousa requesting the cover letter.

Can you please send those along promptly (to me, not to Dee S who is not working on FOIA the same way as last year)? If it's not something you can email, you can fax to me at 206-220-4159 (shared fax, so be sure and put my name on it).

If by chance you just gave out the records without a written cover, please note that FOIA responses must always be in writing. It's a little late to go back and do that now, so just let me know if that's what happened so I can close these out.

If you already sent this and we misplaced, I'm very sorry. But I'll need you to send again.

Thanks much!

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

----- Forwarded by Kevin Killeen/Seattle/NPS on 10/15/2012 11:01 AM -----



**Lorie  
Carstensen/LARO/NPS**  
10/15/2012 01:15 PM

To Kevin Killeen/Seattle/NPS@NPS  
cc Natalie Gates/PORE/NPS@NPS, Doug  
Houck/Seattle/NPS@NPS  
bcc

Subject Re: Copies of close out letters for FOIAs (11-0860,  
11-0861)

History:

Kevin

It appears these were requests for case incident reports and we sent out to requester in full without cover letter. In the future we will be sure and include a cover letter with incident reports.

Lorie

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**  
10/15/2012 11:11 AM

To Lorie Carstensen/LARO/NPS@NPS  
cc Doug Houck, Natalie Gates/PORE/NPS@NPS  
Subject Copies of close out letters for FOIAs (11-0860, 11-0861)  
t

Hi Lorie,

The DOI FOIA Officer is putting considerable pressure on us to work on the some open FOIAs, so I've been going back looking through the records.

For these two FOIAs from (b) (6) and Taylor Stoth, we never received copies of the cover letter (or email) you sent with the records you sent to the requester (although we have the records). See the note below from Dee Sousa requesting the cover letter.

Can you please send those along promptly (to me, not to Dee S who is not working on FOIA the same way as last year)? If it's not something you can email, you can fax to me at 206-220-4159 (shared fax, so be sure and put my name on it).



**Kevin Killeen/Seattle/NPS**

09/13/2011 05:05 PM

To Lorie Carstensen/LARO/NPS@NPS

cc Dee Sousa/OAKLAND/NPS@NPS

Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Hi Lorie,

Sorry to be slow to respond. I was on annual leave last week, and I'm still digging out.

Yes, since no redactions are required, you can send the responses directly from the park.

Dee - please log into EFTS in the other two requests Lorie has attached for the same incident below, provide Lorie with the tracking #'s, create spreadsheet entries and w: drive folders (i.e. the usual drill).

Thank you both.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

**Lorie  
Carstensen/LARO/NPS**

09/07/2011 08:40 AM

To Kevin Killeen/Seattle/NPS@NPS, Dee  
Sousa/OAKLAND/NPS@NPS

cc

Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Kevin & Dee:

Attached are the 2 requests for the dog bite case incident that we received here.

The Rangers investigating this have determined these do not need to be redacted as the requesters are the victim, her attorney and her insurance company. Since this is the case, should we send all 3 directly from here? If so do you also need a copy of the CI report.

Thanks!



[attachment "laro-2011-001.pdf" deleted by Kevin Killeen/Seattle/NPS] laro-2011-002.pdf

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**

09/02/2011 04:20 PM

To: Lorie Carstensen/LARO/NPS@NPS  
cc: Dee Sousa/OAKLAND/NPS@NPS  
Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Hi Lorie,

A couple things:

Is there any personal privacy information we need to redact, or any documents you want to withhold? If so, then we need to get concurrence from the Office of the Solicitor and reference that in the response letter. If this is the case, then we should definitely log them in as separate requests and the response may come from the RD and include all the requisite exemption and appeal information in the response.

If there's no PII to protect, the regarding the 2 other individual requests, did they mention FOIA in their request. If so, then we should log them into the DOI FOIA system and get tracking numbers. If not, and if there is no PII or other reason to withhold or redact, they you can just handle at the park.

Hope this helps.

And have an excellent weekend.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

**Lorie  
Carstensen/LARO/NPS**

09/02/2011 03:51 PM

To: Kevin Killeen/Seattle/NPS@NPS  
cc: Dee Sousa/OAKLAND/NPS@NPS  
Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Hi Kevin: We received requests from 2 other individuals regarding this incident. Do you want us to

respond directly from the park with a cc to you?

Thanks.

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**

09/01/2011 11:28 AM

To Lorie Carstensen/LARO/NPS@NPS, Lorie  
Carstensen/LARO/NPS@NPS, Dee Sousa/OAKLAND/NPS  
cc  
Subject FOIA NPS-2011-00774 LARO dog bite incident report  
t

Lorie - this request was received on the NPS web site.

Dee - I entered into EFTS to get the tracking #. Please create a line on the spreadsheet (I would have, but you had it open), and a file on the w: drive.

Thanks.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

----- Forwarded by Kevin Killeen/Seattle/NPS on 09/01/2011 11:11 AM -----

**Charis  
Wilson/DENVER/NPS**

09/01/2011 10:34 AM

To Kevin Killeen/Seattle/NPS@NPS  
cc tima@hawlaw.com  
Subject LAME dog bite incident report Fw: FOIA Request from  
t www.doi.gov/foia

Hi Kevin,

This request came in yesterday but I was out of the office.

c.

---

Ms. Charis Wilson, MLS, CRM  
NPS FOIA Officer  
12795 W. Alameda Parkway

PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." -  
Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Adolph Murie

----- Forwarded by Charis Wilson/DENVER/NPS on 09/01/2011 11:33 AM -----

tima@hawl.com

08/31/2011 04:42 PM

To npsfoia@nps.gov

cc

Subject FOIA Request from www.doi.gov/foia  
t

1. Bureau or office to receive request:  
**NPS**
2. Description of records being sought:  
**Reports, statements, photographs, etc., pertaining to a dog bite incident which took place 07/30/11 at Lake Roosevelt National Recreation Area, Coulee Dam, WA. (b) (6) was the victim of the dog bite. (b) (6) was the owner of the dog. Jeremy Miller was the park ranger who investigated the incident.**
3. Expedite process of request? **No**  
If yes, why:
4. Filing a request on behalf of another party? **Yes**  
If yes, which party? **I am the attorney for the victim. (b) (6).**

FEE WAIVERS

1. Requestor:
  - **Affiliated with a private corporation**
  - Affiliation:
2. Willing to pay for FOIA request processing? **Yes**  
If yes, how much? **Pursuant to fee schedule.**
3. Requesting a statutory fee waiver? **No**  
If yes, justify:

NAME AND CONTACT INFORMATION Name: **Mr. Timothy D. Anderson**  
Street: **601 W. Kennewick Avenue**  
City: **Kennewick**  
State: **WA**  
Zip: **99336**  
Country: **USA**  
Home or business address? **Business**

E-mail address: **tima@hawlaw.com**  
Organization: **Hames, Anderson & Whitlow, P.S.**  
Phone: **(509) 586-7797**  
FAX: **(509) 586-3674**

**Lorie  
Carstensen/LARO/NPS**  
10/15/2012 01:15 PM

To Kevin Killeen/Seattle/NPS@NPS  
cc Natalie Gates/PORE/NPS@NPS, Doug  
Houck/Seattle/NPS@NPS  
bcc

Subject Re: Copies of close out letters for FOIAs (11-0860,  
11-0861)

History:

Kevin

It appears these were requests for case incident reports and we sent out to requester in full without cover letter. In the future we will be sure and include a cover letter with incident reports.

Lorie

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**  
10/15/2012 11:11 AM

To Lorie Carstensen/LARO/NPS@NPS  
cc Doug Houck, Natalie Gates/PORE/NPS@NPS  
Subject Copies of close out letters for FOIAs (11-0860, 11-0861)  
t

Hi Lorie,

The DOI FOIA Officer is putting considerable pressure on us to work on the some open FOIAs, so I've been going back looking through the records.

For these two FOIAs from (b) (6) and Taylor Stoth, we never received copies of the cover letter (or email) you sent with the records you sent to the requester (although we have the records). See the note below from Dee Sousa requesting the cover letter.

Can you please send those along promptly (to me, not to Dee S who is not working on FOIA the same way as last year)? If it's not something you can email, you can fax to me at 206-220-4159 (shared fax, so be sure and put my name on it).



**Kevin Killeen/Seattle/NPS**

09/13/2011 05:05 PM

To Lorie Carstensen/LARO/NPS@NPS

cc Dee Sousa/OAKLAND/NPS@NPS

Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Hi Lorie,

Sorry to be slow to respond. I was on annual leave last week, and I'm still digging out.

Yes, since no redactions are required, you can send the responses directly from the park.

Dee - please log into EFTS in the other two requests Lorie has attached for the same incident below, provide Lorie with the tracking #'s, create spreadsheet entries and w: drive folders (i.e. the usual drill).

Thank you both.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

**Lorie  
Carstensen/LARO/NPS**

09/07/2011 08:40 AM

To Kevin Killeen/Seattle/NPS@NPS, Dee  
Sousa/OAKLAND/NPS@NPS

cc

Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Kevin & Dee:

Attached are the 2 requests for the dog bite case incident that we received here.

The Rangers investigating this have determined these do not need to be redacted as the requesters are the victim, her attorney and her insurance company. Since this is the case, should we send all 3 directly from here? If so do you also need a copy of the CI report.

Thanks!



[attachment "laro-2011-001.pdf" deleted by Kevin Killeen/Seattle/NPS] laro-2011-002.pdf

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**

09/02/2011 04:20 PM

To Lorie Carstensen/LARO/NPS@NPS

cc Dee Sousa/OAKLAND/NPS@NPS

Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Hi Lorie,

A couple things:

Is there any personal privacy information we need to redact, or any documents you want to withhold? If so, then we need to get concurrence from the Office of the Solicitor and reference that in the response letter. If this is the case, then we should definitely log them in as separate requests and the response may come from the RD and include all the requisite exemption and appeal information in the response.

If there's no PII to protect, the regarding the 2 other individual requests, did they mention FOIA in their request. If so, then we should log them into the DOI FOIA system and get tracking numbers. If not, and if there is no PII or other reason to withhold or redact, they you can just handle at the park.

Hope this helps.

And have an excellent weekend.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

**Lorie  
Carstensen/LARO/NPS**

09/02/2011 03:51 PM

To Kevin Killeen/Seattle/NPS@NPS

cc Dee Sousa/OAKLAND/NPS@NPS

Subject: Re: FOIA NPS-2011-00774 LARO dog bite incident report  
t [Notes Link](#)

Hi Kevin: We received requests from 2 other individuals regarding this incident. Do you want us to

respond directly from the park with a cc to you?

Thanks.

Lorie Carstensen  
Superintendent's Secretary  
Lake Roosevelt National Recreation Area  
509-633-9441, Ext 110

**Kevin Killeen/Seattle/NPS**

09/01/2011 11:28 AM

To Lorie Carstensen/LARO/NPS@NPS, Lorie  
Carstensen/LARO/NPS@NPS, Dee Sousa/OAKLAND/NPS  
cc  
Subject FOIA NPS-2011-00774 LARO dog bite incident report  
t

Lorie - this request was received on the NPS web site.

Dee - I entered into EFTS to get the tracking #. Please create a line on the spreadsheet (I would have, but you had it open), and a file on the w: drive.

Thanks.

-K

Kevin Killeen  
Management Associate  
National Park Service  
Pacific West Region  
206-220-4051

----- Forwarded by Kevin Killeen/Seattle/NPS on 09/01/2011 11:11 AM -----

**Charis  
Wilson/DENVER/NPS**

09/01/2011 10:34 AM

To Kevin Killeen/Seattle/NPS@NPS  
cc tima@hawlaw.com  
Subject LAME dog bite incident report Fw: FOIA Request from  
t www.doi.gov/foia

Hi Kevin,

This request came in yesterday but I was out of the office.

c.

---

Ms. Charis Wilson, MLS, CRM  
NPS FOIA Officer  
12795 W. Alameda Parkway

PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." -  
Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Adolph Murie

----- Forwarded by Charis Wilson/DENVER/NPS on 09/01/2011 11:33 AM -----

tima@hawl.com

08/31/2011 04:42 PM

To npsfoia@nps.gov

cc

Subject FOIA Request from www.doi.gov/foia  
t

1. Bureau or office to receive request:  
**NPS**
2. Description of records being sought:  
**Reports, statements, photographs, etc., pertaining to a dog bite incident which took place 07/30/11 at Lake Roosevelt National Recreation Area, Coulee Dam, WA. (b) (6) was the victim of the dog bite. (b) (6) was the owner of the dog. Jeremy Miller was the park ranger who investigated the incident.**
3. Expedite process of request? **No**  
If yes, why:
4. Filing a request on behalf of another party? **Yes**  
If yes, which party? **I am the attorney for the victim, (b) (6).**

FEE WAIVERS

1. Requestor:
  - **Affiliated with a private corporation**
  - Affiliation:
2. Willing to pay for FOIA request processing? **Yes**  
If yes, how much? **Pursuant to fee schedule.**
3. Requesting a statutory fee waiver? **No**  
If yes, justify:

NAME AND CONTACT INFORMATION Name: **Mr. Timothy D. Anderson**  
Street: **601 W. Kennewick Avenue**  
City: **Kennewick**  
State: **WA**  
Zip: **99336**  
Country: **USA**  
Home or business address? **Business**

E-mail address: **tima@hawlaw.com**  
Organization: **Hames, Anderson & Whitlow, P.S.**  
Phone: **(509) 586-7797**  
FAX: **(509) 586-3674**

LARO-2011-002

RECEIVED

AUG 25 2011

LARO HQ

NPS 10-339

NEW (12/04)

FOIA REQUEST FORM

NATIONAL PARK SERVICE

DATE: 8/12/11

NATIONAL PARK SERVICE

(PARK NAME, ADDRESS AND TELEPHONE NUMBER)

ATTN: DAN FANGEN-BRITS - LAKE ROOSEVELT NRA  
1008 CREST DR  
COWEE DAM, WA 99116  
509.433.9188 x13

SUBJECT: REQUEST FOR INFORMATION UNDER FOIA/PRIVACY ACT

UNDER THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT (5 U.S.C. 552), I AM REQUESTING A COPY OF ANY DOCUMENTS PERTAINING TO MOTOR VEHICLE ACCIDENT REPORTS. PERTAIN TO ME (OR THE PERSON I REPRESENT) THAT IS MAINTAINED IN THE NATIONAL PARK SERVICE. I SPECIFICALLY REQUEST THE FOLLOWING:

11-0110 ON 7/30/2011  
(CASE INCIDENT REPORT NUMBER AND DATE OF INCIDENT)  
REGARDING A DOG BITE

PLEASE SEND THE REQUESTED INFORMATION TO THE FOLLOWING ADDRESS:

USAA  
P.O. Box 659460  
San Antonio, TX 78265  
claim# 813 2584-004

SINCERELY,

Taylor Stott  
(SIGNATURE OF REQUESTOR)

tima@hawlaw.com

To npsfoia@nps.gov

cc

08/31/2011 04:42 PM

Subject FOIA Request from www.doi.gov/foia

1. Bureau or office to receive request:

**NPS**

2. Description of records being sought:

**Reports, statements, photographs, etc., pertaining to a dog bite incident which took place 07/30/11 at Lake Roosevelt National Recreation Area, Coulee Dam, WA. (b) (6) was the victim of the dog bite. (b) (6) was the owner of the dog. Jeremy Miller was the park ranger who investigated the incident.**

3. Expedite process of request? **No**

If yes, why:

4. Filing a request on behalf of another party? **Yes**

If yes, which party? **I am the attorney for the victim, (b) (6).**

---

#### FEE WAIVERS

---

1. Requestor:

- **Affiliated with a private corporation**
- Affiliation:

2. Willing to pay for FOIA request processing? **Yes**

If yes, how much? **Pursuant to fee schedule.**

3. Requesting a statutory fee waiver? **No**

If yes, justify:

---

#### NAME AND CONTACT INFORMATION

---

Name: **Mr. Timothy D. Anderson**

Street: **601 W. Kennewick Avenue**

City: **Kennewick**

State: **WA**

Zip: **99336**

Country: **USA**

Home or business address? **Business**

E-mail address: **tima@hawlaw.com**

Organization: **Hames, Anderson & Whitlow, P.S.**

Phone: **(509) 586-7797**

FAX: **(509) 586-3674**

NPS-NPS-2012-00050  
00050

October 25, 2011

Dave Fox – Law Enforcement Specialist  
Sequoia and Kings Canyon National Parks  
47050 Generals Highway  
Three Rivers, CA 93271-9700

**Re: Freedom of Information Act Request**

Dear Mr. Fox:

The purpose of this letter is to request information pursuant to the Freedom of Information Act, 5 U.S.C. section 552. If this information is not available from your agency, please forward this request to the appropriate agency or advise me of the other agencies which might have this information.

Please provide a copy of the following items to the above address:

- Any document or record reflecting the receipt by your agency from February 20, 2002 to February 22, 2002 of a report of a sexual assault, assault with a deadly weapon, and/or assault by a dog in the area of Lake Kaweah.

If any part or all of the materials are withheld under a FOIA exemption, please provide a list of the information withheld and mark any deleted sections. Please list the specific exemptions that form the basis for any deletion from a document or the complete withholding of a document.

Please provide an itemized statement of the applicable fees. If search and copying fees are estimated to exceed \$10.00, please contact me before proceeding with this request.

As provided for by section 552(a)(6)(A)(i) of the Freedom of Information Act, please provide your reply within twenty business days. Thank you for your prompt attention to this matter.

Sincerely,

(b) (6)

Shauna Austin/SEKI/NPS

11/14/2011 10:12 AM

To (b) (6)

cc Dave Fox/SEKI/NPS@NPS

bcc Kevin Killeen/Seattle/NPS

Subject Your FOIA request NPS-2012-00050

Dear (b) (6),

This is in response to your Freedom of Information Act (FOIA) request dated October 25, 2011 and received in our office on October 25, 2011. We are replying via e:mail because you did not supply a physical address in your FOIA request. In your request you sought records regarding:

*"Any document or record reflecting the receipt by your agency from February 20, 2002 to February 22, 2002 of a report of sexual assault, assault with a deadly weapon, and/or assault by a dog in the area of Lake Kaweah."*

The records you are seeking are not within the Department of the Interior's possession and control. Therefore we are unable to provide you with these records (43 CFR 2.7(d)(1)). It is possible that they may be located at the Army Corps of Engineers (ACOE) office at Lake Kaweah who has jurisdiction over that area. As a courtesy, we are forwarding your request to:

U.S. Army Corps of Engineers  
Box 44270  
34443 Sierra Drive  
Lemon Cove, CA 93244-4270  
Phone: 559-597-2301

If you consider this response to be a denial of your request, you may file an appeal by writing to:

Freedom of Information Act Appeals Officer  
Office of the Solicitor, Division of General Counsel  
1849 C Street NW, MS 6556  
(Attn: FOIA Appeals Office)  
Washington, DC 20240

Your appeal must be received no later than 30 workdays after the date of this e:mail. The appeal should be marked, both on the envelope and the face of the letter, with the legend, "FREEDOM OF INFORMATION APPEAL." Your appeal should be accompanied by a copy of your original request and this e:mail, along with any information you have which leads you to believe the records do in fact exist, including where they might be found, if the location is known to you.

Should you have further questions, please contact me at the telephone number below or via e:mail.

Sincerely,

Shauna Austin  
FOIA Officer  
Sequoia and Kings Canyon National Parks  
shauna\_austin@nps.gov  
559-565-3153  
Fax 559-565-3730

Confidentiality Notice: This electronic communication is intended only for the use of the individual(s) or entity(ies) to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you have received this communication in error, please do not distribute. Delete the original message and notify the sender.

NPS-66NPS-2012-00166



Arnita Bowman  
(b) (6)

02/07/2012 04:19 PM

To skot\_jonz <skot\_jonz@nps.gov>

cc

bcc

Subject RE: FOIA-NPS-2012-00166

History:

This message has been forwarded.

Thank you!

I assume the NPS knows the methodology for counting visitors does not accurately represent the dog walking population and the expected impact of GGNRA policy changes on the health and well being of people and on adjacent lands. Only counting one person per group seems quite flawed, and I hope the NPS accounts for that in their final analysis for the supplemental dog plan. Also, statements like dog walking is less popular at Fort Funston on the weekends obviously does not reflect reality. The percentage difference simply represents more dog people going with other dog people or their dog family instead of solo. The beauty of Funston is it is a place the entire family, including the family dog, can visit together. If the dog community has concerns with the validity of the study and its planned use is there anyone in particular that we should contact. Honestly, I feel taxpayer money was wasted in not truly counting the people with dogs. The quality of the Funston study makes me question the integrity of the analysis at the other sites as well.

I'm surprised the NPS has not attempted to study the impact of dogs on wildlife considering all the impact claims in the DEIS. I'm also surprised that GGNRA Snowy Plover studies by the Audubon do not include dog tracking as in prior years.

Thank you again for your assistance.  
Arnita Bowman

> Subject: FOIA-NPS-2012-00166  
> To: (b) (6)  
> From: Skot\_Jonz@nps.gov  
> Date: Tue, 7 Feb 2012 14:39:11 -0800  
>  
>  
> Dear Ms. Bowman,  
>  
> Regarding Item 1 of your FOIA request NPS-2012-00166, all responsive  
> documents and data have been posted to our FOIA Electronic Reading Room at:  
> <http://www.nps.gov/goga/parkmgmt/foia-reading.htm>  
>  
> This includes the following items:  
>  
> Fort Funston Count Data  
> Fort Funston Dog Groups  
> GGNRA Visitor Activities Report (Final Dec. 2011)  
> Muir Beach Count Data  
>  
> Regarding Item 2 of your request, please refer to the website  
> <http://www.psu.uidaho.edu/> specifically the Visitor Survey Card section,  
> where data, results and reports of all visitor satisfaction surveys at

> GGNRA, including Alcatraz, Muir Woods, Stinson Beach, Presidio, and Marin  
> Headlands may be reviewed and downloaded. There is a searchable database  
> where you may obtain these data from any park unit or past year, including  
> 2011.

>  
> Per your instruction, Item 3 of your request was intentionally omitted,

>  
> Regarding Item 4 of your request, we are not aware of any such studies,  
> testing or similar activities.

>  
> This represents all responsive items within our possession and we consider  
> this matter of FOIA request NPS-2012-00166 to be completed.

>  
> I thank you for acknowledging receipt of this email.

>  
> Sincerely,

>  
>  
> Skot Jonz  
> Office of Public Affairs  
> Golden Gate National Recreation Area  
> 201 Fort Mason  
> San Francisco, CA 94123  
> 415.561.4734  
> Skot\_Jonz@nps.gov

>



Arnita Bowman  
(b) (6)

01/10/2012 10:16 PM

To skot\_jonz <skot\_jonz@nps.gov>

cc

bcc

Subject RE: FOIA # NPS-2012-00166 - raw data, surveys, etc.

History:

📧 This message has been forwarded.

The time period requested in 2011 for item #4. You are correct that #3 is deliberately missing.

Sorry for the confusion.

Thank you for your assistance,  
Arnita Bowman

> Subject: FOIA # NPS-2012-00166 - raw data, surveys, etc.

> To: (b) (6)

> From: Skot\_Jonz@nps.gov

> Date: Tue, 10 Jan 2012 17:07:25 -0800

>

> Dear Ms. Bowman,

>

> This is to acknowledge receipt of your FOIA request, which we received on

> 1/9/2012. In all future correspondence regarding this request, please

> refer to the FOIA Tracking Number in the subject line of this email

> (NPS-2012-00166). Please do not confuse this with your other request

> submitted on the same day, which has been assigned a different tracking

> number.

>

> Before we can proceed with this request we need to clarify two issues:

>

> 1. In your request, the list of items is not clear. We assume that Item #4

> should be Item #3. Or did you deliberately omit Item #3? Please confirm.

> 2. No time frame is specified for "studies, testing, or other similar

> activities for the GGNRA that reference dogs..." Please clarify.

>

> At this time, it is not possible to estimate when you will receive all of

> the information and documents requested. We will have a better idea once

> the appropriate staff have been notified about your request, and will send

> responsive information/data/documents to you as they are identified.

>

> Your request for a fee waiver has been granted.

>

> Sincerely,

>

> Skot Jonz

> Office of Public Affairs

> Golden Gate National Recreation Area

> 201 Fort Mason

> San Francisco, CA 94123

Skot Jonz/GOGA/NPS  
01/10/2012 05:07 PM

To Arnita Bowman (b) (6)  
cc  
bcc  
Subject FOIA # NPS-2012-00166 - raw data, surveys, etc. 

Dear Ms. Bowman,

This is to acknowledge receipt of your FOIA request, which we received on 1/9/2012. In all future correspondence regarding this request, please refer to the FOIA Tracking Number in the subject line of this email (NPS-2012-00166). Please do not confuse this with your other request submitted on the same day, which has been assigned a different tracking number.

Before we can proceed with this request we need to clarify two issues:

1. In your request, the list of items is not clear. We assume that Item #4 should be Item #3. Or did you deliberately omit Item #3? Please confirm.
2. No time frame is specified for "studies, testing, or other similar activities for the GGNRA that reference dogs..." Please clarify.

At this time, it is not possible to estimate when you will receive all of the information and documents requested. We will have a better idea once the appropriate staff have been notified about your request, and will send responsive information/data/documents to you as they are identified.

Your request for a fee waiver has been granted.

Sincerely,

Skot Jonz  
Office of Public Affairs  
Golden Gate National Recreation Area  
201 Fort Mason  
San Francisco, CA 94123  
415.561.4734  
Skot\_Jonz@nps.gov  
Arnita Bowman <arnitabowman@hotmail.com>



Arnita Bowman  
(b) (6)  
m>  
01/06/2012 06:45 PM

To Kevin - NPS West FOIA Killeen <kevin\_killeen@nps.gov>,  
Howard - GGNRA Levitt <howard\_levitt@nps.gov>  
cc skot jonz <skot\_jonz@nps.gov>  
Subject Freedom of Information Act Request: GGNRA Studies  
Regarding Dog Activity

I am sending you a Freedom of Information Act for:

- 1) The raw data, any electronically compiled data records, and any final analysis of the results of data/studies compiled regarding dogs or people with dogs, directly or indirectly, in the GGNRA during 2011. I am aware of the study that was performed at Fort Funston to evaluate visitation but am also requesting any other such studies that I'm not aware of. My interest is any

studies that may be used to support or condemn dog recreation in the GGNRA.

2) Any 2011 **visitor surveys**, or similar studies, regarding the GGNRA or any GGNRA site that were conducted by or for the NPS or provided to the NPS by any third party.

4) Any summaries of **studies, testing, or other similar activities for the GGNRA that references dogs** that were provided to the NPS by any **third party** (e.g., Audubon Snowy Plover testing).

My purpose is to provide a community service by providing people with additional information regarding the impacts of dogs on the GGNRA. Because this is a community service and reporting information to the public, I would appreciate a fee waiver. Please give me a call at 650 873 4828 if you'd like to discuss so that we can make the search as fast and efficient as possible for the NPS. I'd prefer to receive the documents on a CD or via email. If the cost is too prohibitive, I can come to the GGNRA office to view the requests (other than the data records request) or can access them on-line if a URL is provided.

If the fee to me is expected to be more than \$50, please let me know before processing the request. I can also come to a Bay Area office to review the information if that would reduce the costs significantly for the NPS or for me.

Please send me an email with your estimation of when I should expect to receive the information and letting me know you received this email. I'd appreciate receiving the information as it becomes available and not wait for all information to be received as a single delivery.

Thanks in advance for your assistance in this matter.

Sincerely,  
Armita Bowman

(b) (6)



**NPS-NPS-2012-0033600336**



1257 SANGUINETT ROAD, SUITE 244 - SONORA, CALIFORNIA 95370  
TOO-QUEUETRAC (866-783-8387) - FAX: 877-QUEUETRAC (783-8387)



February 16, 2012

COLUMBIA CASCADES (PACIFIC WEST REGION) SUPPORT OFFICE  
NATIONAL PARK SERVICE  
Doug Houck, FOIA Officer  
909 FIRST AVENUE, 5TH FLOOR  
SEATTLE, WASHINGTON 98104

Re: **FREEDOM OF INFORMATION ACT SUBMISSION**  
Ref: Taser Incident - Rancho Corral de Tierra – January 29, 2012  
Golden Gate National Recreation Area (GGNRA)

**SENT BY CONFIRMED FAX TO  
206-220-4159**

Dear Mr. Houck:

The following material requests are submitted under the Freedom of Information Act as amended by the OPEN Government Act of 2007, Pub. L. No. 110175, 121 Stat. 2524, supported by OClO Directive 2010-011 (each incorporated herewith by reference as though fully set-forth herein), concerning incidents which took place on Rancho Corral de Tierra public lands (hereinafter "RANCHO SUBJECT LANDS") – GGNRA – on or about 29 January 2012.

Consequently the information sought is vital to the public interest by way of a documentary film presently in production entitled, "Dogmatic: Anatomy of a Public Lands Grab" – which bears focus not only upon National Park Service (hereinafter "NPS") functions but all National Wilderness Preservation System (NWPS) agencies. Thus first two pages of the film Treatment are attached (hereto as EXHIBIT-1 and incorporated herewith by reference as though fully set-forth herein) for your consideration, and you may view a film trailer online at DogmaticMovie.com.

Information sought is for examination and exposure to the public of elements concerning your agency's performance pursuant, but not limited, to *United States Department of Justice vs. Reporters Committee for Freedom of the Press*, 489 U.S. 749 (1989); *Department of Defense vs. Federal Labor Relations Authority*, 62 U.S.L.W. 4143 (U.S. February 23, 1994); and, should thus be viewed as qualified in the public interest under same.

Moreover in-light of opinion within *Bryan vs. McPherson, et al* (Ninth Circuit Court of Appeals, Docket No. 3:06-CV-01487-LAB-CAB; Pregerson, Reinhardt & Wardlaw, 2009) wherein confines for taser use of force are delineated, balanced against Fourth Amendment Constitutional considerations brought to bear by the subject incident. Please apply extreme deference to the public's right to know before classifying information as HIGH, exempt, expressly under FOIA Exemptions 5, 6 or 7 (a thru f, where applicable hereinafter). Given possible (but unsubstantiated) misconduct that may have been committed under color of authority by a federal officer, notwithstanding aspects of qualified immunity, a "cover-up" appearance should also be weighed before application of FOIA Exemption(s).

Therefore, please provide copies of the following information:

(Continued on Page-2)

**ITEM-1: NEPA COMPLIANCE**

Each and every Directive, memorandum, report, investigation or similar administrative document(s) pertaining to RANCHO SUBJECT LANDS adopted by NPS-GGNRA that complies with 42 U.S.C. §§4333 & 4334 of the National Environmental Policy Act of 1969, as amended, expressly as said information has been relied upon for guidance in the administration of RANCHO SUBJECT LANDS, including but not limited to matter covered under 40 C.F.R. §1508.4; and, provide such information, if any, for noncompliance pursuant to 40 C.F.R. §1506.11; from 15 February 1972 to the present.

**ITEM-2: REGULATORY SCIENTIFIC BASIS**

Each and every published or unpublished scientific study; report, test, memorandum of hypothesis, observation report, field investigation or similar scientific oriented document applied or relied upon to support the NPS-GGNRA agency decision to restrict and/or regulate domestic canid (dog) activity, in any respect whatsoever, while said animal is upon RANCHO SUBJECT LANDS accompanied by human owner and/or handler; from 15 February 1972 to the present; whether or not said material relates specifically to Rancho Corral de Tierra public lands or elsewhere.

**ITEM-3: TASER DEVICE – GENERAL**

Provide the vendor (acquisition source) name, address & telephone; make, model and serial number of the actual and particular Taser (Stun Gun), or weapon of similar description, carried by NPS Ranger Ms. Sarah Cavallaro and fired against and striking Mr. Gary Hesterberg (citizen), on or about 29 January 2012, within geographical boundaries of Rancho Corral de Tierra public lands.

**ITEM-4: TASER DEVICE -- MAINTENANCE & FUNCTIONALITY**

Provide all maintenance, calibration and other service records of the actual and particular Taser (Stun Gun) described in Item-3, above, including written description of all malfunctions particular to said device, if any, which may have occurred while in NPS possession; including documents and other writing from the manufacture describing its use and functionality, warnings and/or cautionary labeling and papers; since time of acquisition by the National Park Service – GGNRA – as new, if applicable.

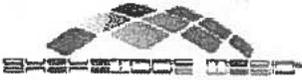
**ITEM-4: TASER DEVICE -- USE TRAINING OF PERSONNEL**

Provide each and every Directive, paper, manual or other instructional material relied upon to train authorized NPS-GGNRA personnel acting within their capacity on RANCHO SUBJECT LANDS in the proper use and deployment of Taser (Stun Gun) devices, such as described in Item-3 above, from January 1, 2005 to the present; and, a facsimile of certification document(s), if any, commonly relied upon by NPS-GGNRA to establish that an authorized NPS-GGNRA employee has satisfactorily completed said training and is competent to deploy said weapon, device, in the field. If such training or certification process has taken place at a facility other than a NPS location from January 1, 2005 to the present provide the name, address & telephone of said facility or facilities with particularity to establish its/their authority under law to conduct said training.

**ITEM-5: TASER DEVICE -- DEPLOYMENT POLICY**

Provide each and every Directive, paper, manual or other writing establishing policy when circumstances and threats warrant deployment (discharge) of Taser (Stun Gun) devices, such as described in Item-3 above, from January 1, 2005 to the present.

(More on Page-3)

**ITEM-6: TASER INCIDENT – AUDIO MATERIAL**

Provide each and every audio recording, transcript or equivalent digital article of NPS-GGNRA communications dispatch occurring on 29 January 2012 whether engaged via radio, telephone or other communications device, from one (1) minute prior to Ranger Sarah Cavallaro's initial contact with NPS-GGNRA communications dispatch particularly regarding her dealings with Gary Hesterberg, until one (1) minute following conclusion of the incident in its entirety including, but not exclusive to, NPS-GGNRA communications dispatch by other NPS personnel responding to or involved/assisting with the incident in any manner.

**ITEM-7: "USE OF FORCE" POLICY – IN GENERAL**

(As delineated within, *Bryan vs. McPherson, et al* – Ninth Circuit Court of Appeals, 2009)

Each and every record, document, manual, memorandum, Directive and similar information from January 1, 1978 to the present, providing NPS Law Enforcement personnel with policy guidance in the application and deployment of "use of force" devices and techniques, which apply to RANCHO SUBJECT LANDS and the whole of NPS-GGNRA managed public lands.

**ITEM-8: PUBLIC CONTACT GUIDANCE**

Each and every record, document, manual, memorandum, Directive and similar information from January 1, 1978 to the present, providing NPS Law Enforcement personnel with policy guidance when engaging contact with the public including, but not exclusive to, definition of what constitutes a "educational contact" as opposed to strictly law enforcement encounter(s).

**ITEM-9: RECORDS OF ENFORCEMENT**

Each and every record, document, study, report, memorandum, field investigation card or similar information, redacted if necessary to comply with the Privacy Act in all respects, of all citations and/or arrests on RANCHO SUBJECT LANDS, with particularity to domestic canine (dog) infractions and/or incidents; from the time NPS-GGNRA began managing RANCHO SUBJECT LANDS to the present.

**COMMENT**

Before classifying any Request Item(s) 3 thru 9, above, under FOIA Exemption please consider public news statements by Howard Levitt, NPS spokesperson (copies attached hereto as EXHIBIT-2 and incorporated herewith by reference as though fully set-forth herein), and legal precedent set by: *Weissman vs. CIA*, 565 F.2d 692, 696 (D.C. Cir. 1977); *Shaw vs. FBI*, 749 F.2d 58, 63 (D.C. Cir. 1984); *Lesar vs. DOJ*, 636 F.2d 472, 487 (D.C. Cir. 1980); *Schoenman vs. FBI*, 575 F. Supp. 2d 136, 162 (D.D.C. 2008); *Quifon vs. FBI*, 86 F.3d 1222, 1228-29 (D.C. Cir. 1996); *United Am. Fin. vs. Potter*, 531 F. Supp. 2d 29, 45-46 (D.D.C. 2008); *Rural Housing Alliance vs. USDA*, 498 F.2d 73, 81 (D.C. Cir. 1974); and, *Flores vs. DOJ*, No. 03-2105, slip op. at 4 (D.D.C. Aug. 31, 2004). Consequently, NPS-GGNRA should not make public comments regarding law enforcement procedures and elements then shield itself from media investigation conducted in the public interest, by claiming FOIA Exemption(s).

(More on Page-4)



NATIONAL PARK SERVICE  
FOIA REQUEST - GGNRA  
16 FEBRUARY 2012  
PAGE-4 of 4

## ITEM-10: AUTHORIZATION FOR NONCOMPLIANCE WITH POLICY

### BACKGROUND

As delineated by Order of United States District Judge William Alsup (Order of Affirmance, *U.S. vs. Barley*, et al. No. CR 04-0408 WHA; June 2, 2005 – copy of which is attached hereto as EXHIBIT-3 and incorporated herewith by reference as though fully set-forth herein), in 1983 NPS revised its regulatory policy requiring "notice-and-comment" procedures before implementation of "activity restriction" which would significantly alter public use patterns at the Park (GGNRA), or that would be of a "highly controversial nature" (36 CFR §1.5(b). Consequently off-leash dog walking had been a common & customary activity at RANCHO SUBJECT LANDS for decades before NPS began managing GGNRA, and comments from the public support that restricting said activity on RANCHO SUBJECT LANDS is highly controversial. Thus in-light of the above, please provide the following:

Each and every record, document, manual, memorandum, Directive, communication and similar basis (information) from January 1, 1978 to the present, lawfully authorizing NPS-GGNRA to: 1) classify RANCHO SUBJECT LANDS as "new lands" without scoping process under NEPA; 2) deny public "notice-and-comment" procedures with particularity to RANCHO SUBJECT LANDS, in opposition to District Judge William Alsup's Order (*U.S. vs. Barley*, et al. No. CR 04-0408 WHA); 3) engage regulatory "activity restriction" by requiring domestic dogs to be on-leash while upon RANCHO SUBJECT LANDS, in contradiction of said Alsup Order (*U.S. vs. Barley*, et al. No. CR 04-0408 WHA); and, 4) engage enforcement of said activity restriction by citation and/or arrest of domestic dog walkers when said dog(s) is/are off-leash upon RANCHO SUBJECT LANDS, conflicting with said Alsup Order (*U.S. vs. Barley*, et al. No. CR 04-0408 WHA).

---

Request for waiver of all fees is herein submitted. Disclosure of the requested information is in the public interest and submitted as media representative, qualified above, and is highly likely to contribute significantly to public understanding of the operations and activities of the government and is not primarily for a commercial interest as the subject documentary is a not-for-profit venture and shall be made available to the public via the Internet on a no-fee basis. Additionally, this request and government return of requested information shall be made available to the public for purposes of inspection. Therefore, waiver of all subsequent fees is authorized and appropriate.

If any part of this request is denied, in whole or part, please cite each and every specific reason for such refusal, with particularity to prevailing law authorizing said denial(s). Please notify me of appeal procedures available under the law.

Respectfully Submitted,

Mark Villaseñor,  
Producer – Dogmatic: Anatomy of a Public Lands Grab

CC: Public Distribution; First-Class Mail; Michael Macumber, Attorney at law; File.  
Attachments: EXHIBITS 1 thru 3

**From:** [Skot Jonz](#)  
**To:** [queuetrac@sbcglobal.net](mailto:queuetrac@sbcglobal.net)  
**Bcc:** [Kevin Killeen](#)  
**Subject:** FOIA # NPS-2012-00336  
**Date:** 03/23/2012 05:06 PM  
**Attachments:** [Transmittal Letter 2012-00336 Villasenor.pdf](#)

---

Hello Mr. Villaseñor,

Thank you for your Freedom of Information request. The attached pdf letter contains information and live hyperlinks to responsive documents.

This correspondence is also being delivered to you via facsimile at 1-877-783-8387 and via U.S. Postal Service to the address you provided:  
1257 Sanguinetti Rd. #244, Sonora, CA 95370.

Feel free to contact me if you have any questions, and please refer to the FOIA Tracking Number in the subject line of this email in any future correspondence regarding this matter.



Transmittal\_Letter 2012-00336 Villasenor.pdf

Sincerely,

Skot Jonz  
Office of Public Affairs  
Golden Gate National Recreation Area  
201 Fort Mason  
San Francisco, CA 94123  
415.561.4734  
[Skot\\_Jonz@nps.gov](mailto:Skot_Jonz@nps.gov)



# United States Department of the Interior

NATIONAL PARK SERVICE  
Golden Gate National Recreation Area  
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:

A7221 (CPPA)

March 22, 2012

VIA Email: [Queuetrac@sbcglobal.net](mailto:Queuetrac@sbcglobal.net)

Via Facsimile: 1-877-783-8387

Via Certified Mail, Return Receipt Requested:

Tracking # 7011 2970 0002 4315 1476

Mr. Mark Villaseñor  
Queuetrac Media  
1257 Sanguinetti Rd. #244  
Sonora, CA 95370

## RE: FOIA NPS# 2012-00336

Dear Mr. Villaseñor,

In response to your Freedom of Information Act (FOIA) request NPS #2012-00336, please see below regarding the separate items in your request. We note that you list two of Item 4, and for clarification we refer to them as Item 4(a) and 4(b).

### ITEM 1: NEPA COMPLIANCE

The documents you seek related to this request are already available to the public. The only documents for Rancho responsive to the request are those associated with the larger GMP, and no Rancho-only NEPA documents exist. Please refer to the Planning, Environment and Public Comment (PEPC) website for GGNRA's General Management Plan at: <http://parkplanning.nps.gov/documentsList.cfm?projectID=15075>

Additionally, we suggest you review the various public documents related to Director's Order #12 - Conservation Planning, Environmental Impact Analysis, and Decision-Making at this website: <http://home.nps.gov/applications/npspolicy/DOrders.cfm>

### ITEM 2: REGULATORY SCIENTIFIC BASIS

We have no documents in our possession that are directly responsive to your request. NPS-GGNRA policy on dog activity is mandated by the laws, regulations and policies which govern NPS lands. Rancho Corral de Tierra was acquired by the National Park Service on December 9, 2011, at which point all such laws, regulations and policies applied. Please refer to 36 CFR 1.2 (Applicability and Scope) and more specifically, 36 CFR 2.15 (a)(2).



## United States Department of the Interior

NATIONAL PARK SERVICE  
Pacific West Region  
333 Bush Street, Suite 500  
San Francisco, California 94104-2828



IN REPLY REFER TO:  
A 7221 (PWR-PA)

APR 6 2012

Mark Villasenor  
1257 Sanguinetti Road, #244  
Sonora, CA 95470

Dear Mr. Villasenor:

This letter is an interim response to your Freedom of Information Act request submitted by facsimile to Doug Houck on February 16, 2016. The Department of the Interior tracking number for this request is NPS-2012-00336. Please include this number in any future correspondence regarding your request.

Your request was forwarded to Golden Gate National Recreation Area to search for records responsive to your request. Mr. Skot Jonz provided a partial response with records on March 23. Park staff is continuing to search for other documents responsive to your request, so you may see additional records released in subsequent correspondence. The park has forwarded certain documents to this office as required when document withholding or redaction is considered.

This letter specifically considers documents associated with two items of your request:

1. ITEM 6, in which you sought ". . . each and every audio recording, transcript, or equivalent digital article of NPS-GGNRA communications dispatch occurring on 29 January 2012 . . . from one (1) minute prior to Ranger Sara Cavallaro's initial contact with NPS-GGNRA communications dispatch particularly regarding her dealings with Gary Hesterberg . . ."

This request is denied as the investigation associated with the incident has not been completed and thus is protected under Exemption 7(A) of the FOIA (5 U.S.C. 552(b)(7)). Exemption 7 of the FOIA protects records or information compiled for law enforcement purposes, whereby the production of such law enforcement records or information could cause foreseeable harm. Specific to your request, exemption 7(A)(1), prohibits the release of information that could be expected to interfere with enforcement proceedings that are proceeding, pending, or prospective and the disclosure of the documents could be expected to cause harm, (i.e. disrupt, impede, delay, or otherwise harm the enforcement proceeding). Exemption 7(A)(2), allows the withholding of documents as long as the enforcement proceeding remains pending or prospective.

2. ITEM 9, in which you sought ". . . all citations and/or arrests on RANCHO SUBJECT LANDS, with particularity to domestic canine (dog) infractions and/or incidents . . ."

Park staff located documents responsive to this item. These records are enclosed and none are withheld. Certain personal privacy information such as addresses and phone numbers are redacted under Exemption 6 of the FOIA. The Department of the Interior maintains that the individuals identified in the records have privacy interests in withholding this information. We

TAKE PRIDE<sup>®</sup>  
IN AMERICA 

do not perceive, nor have you enunciated, any public interest that would be served in disclosing this data that would outweigh the privacy interests of the subject individuals. Therefore, we are withholding this information under Exemption 6 of the FOIA (5 U.S.C. 552(b)(6)), which permits an agency to withhold "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

You have the right to appeal these decisions by writing to the Department of the Interior FOIA Appeals Officer, MS-6556-MIB, 1849 C Street NW, Washington, D.C. 20240. Your FOIA appeal must be received by the FOIA Appeals Officer no later than 30 workdays after the date of the final response to your request. A copy of your original request and all correspondence between you and NPS regarding your request should accompany your appeal, as well as a brief statement of the reasons why you believe the initial decision to be in error. The appeal should be marked "Freedom of Information Act Appeal" both on the envelope and the face of the letter.

Alternatively, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a nonexclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001

Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Phone: 301-837-1996  
Fax: 301-837-0348  
Toll-free: 1-877-684-6448

In addition to myself, Attorney Advisor Deborah Bardwick and FOIA Officer Kevin Killeen participated in this decision. If you have questions about the processing of your FOIA request, Mr. Killeen can be reached at 206-220-4051.

Sincerely,



*for* Christine S. Lehnertz  
Regional Director, Pacific West Region

Enclosure

cc: Howard Levitt, Golden Gate National Recreation Area  
Skot Jonz, Golden Gate National Recreation Area



Killeen, Kevin &lt;kevin\_killeen@nps.gov&gt;

---

## 12-336 Villasenor GOGA taser FOIA closure

1 message

---

**Wilson, Charis** <charis\_wilson@nps.gov>  
To: Kevin Killeen <Kevin\_Killeen@nps.gov>

Wed, May 1, 2013 at 10:12 AM

Note to the file:

After reviewing the records, I determined that Mr. Villasenor had notified us that he considered the the interim response that had been issued by Skot Jonz on March 23, 2012, to have constituted a final response and a denial of his request. On March 25, 2011 he e-mail an "appeal" to me. I notified him that if he wanted to file an appeal he needed to do so with the DOI FOIA Appeals office and I provided him with the instructions to do so. At this time, since the requester had notified us that he considered the request to have been completed and denied, we should have closed the request, however, we left it open.

Based on correspondence with the DOI FOIA Appeals office, on October 15, 2011, I learned that while he had filed an appeal with her office he failed to respond to her requests for the information required to process his appeal. She therefore closed his appeal for a lack of response. We inadvertently did not do the same to our request at that time.

Having verified that he has not corresponded with us any further on this issue, even though ry Christine Lenhertz signed a follow-up response letter in April 2011, I determined that out file on his request, like the appeal, should be closed for failure to response.

Should he later contact us, we can reopen as a new request.

C.

---

Ms. Charis Wilson, MLS, CRM  
NPS FOIA Officer  
12795 W. Alameda Parkway  
PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

NPSNPS-2012-006288

From: [Charis Wilson](#)  
To: [Kevin Killeen](#); [Doug Houck](#)  
Cc: (b) (6)  
Subject: HAVO case incident records & disability training Fw: From NPS.gov: FOIA Request  
Date: 06/25/2012 12:25 PM

---

Hi Kevin & Doug,

Per our conversation, since this one relates to HAVO, I'm forwarding to you for processing. (b) (6) has also asked for:

*Also I need to know who I file a SF-95 with to file claim of damage and injury also who should have taken the report of the assault and Battery against me by Ranger Anthony Lutz Which was requested on numerous occasions on the 10th of May 2012 on numerous occasions and requested to numerous park personnel at the scene and with Ranger Talmadge Mango on the scene and also when he came to my cabin at the KMC where we were staying at the time and what form I need to know what forms and who to file them with for reimbursement of damages and costs of having to have my service dog's expenses related to the assault by Ranger Lutz on me?*

and

*I also need to know how to go about getting copies of all dash cam and audio recordings from Ranger Anthony Lutz's Patrol Vehicle that should have been made during the incident on the 10th May 2012 in which (b) (6) was received assault and Battery at the hands of Officer Tony Lutz.*

Thanks,

C.

---

Ms. Charis Wilson, MLS, CRM  
NPS FOIA Officer  
12795 W. Alameda Parkway  
PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Adolph Murie

----- Forwarded by Charis Wilson/DENVER/NPS on 06/25/2012 10:40 AM -----

(b) (6)

06/25/2012 09:44 AM

To npsfoia@nps.gov

cc (b) (6)

Email submitted from: foia-contact.htm

Dear FOIA Officer:

This is a request filed under the Freedom of Information Act.

What park are you requesting records from? (If you do not know please enter N/A.)  
Volcanoes National Park

Please describe the record(s) you are seeking so that an employee familiar with the subject area of the request may locate the record(s) with a reasonable amount of effort. Please include descriptive information, time frame to be searched, etc.

Copies of dispatch records and recordings, AI audio and video recordings of incident from car and other camera's and recorders, Copies of all reports and statements of all park employee's involved in the incident, Along with copies of all training manuals for park rangers about the DOJ. ADA laws and regulations, volcanoes national park compendium, Copies of all training manuals of training for park rangers having to do with use of force, Copies of all procedures and policies of NPS when a guest requests that a ranger be charged with a crime such as assault and battery, copies of all evaluations of Ranger Anthony Lutz, copies of all park ranger training manuals having to do with the ADA and how to deal with disabled persons. Procedures for getting a written statement from a park guest, procedures for handling when a guest has been injured by the actions of a park Ranger, procedures of how to handle damage to personal property of a guest by a park ranger. Complete copies of all dispatch records of all park and emergency persons to include the report of the person who reported a dog running free in the pic nick area where the incident happened. All these have to do with the incident on 10 May 2012 involving (b) (6), His Medical Service Dog and (b) (6)

Are you asking for expedited processing of your request?

Yes

If so, why?

Inorder to completely prepare for court defense along with the filing complaints with law enforcement for abusive force resulting in destruction of property, injuries and assault along with violations of civil and constitutional rights and multiple violations of the U.S. D.O.J. A.D.A. against park personnel to include Standard Form SF-95 against the head of the DOI, NPS, Rangers involved in incident, Cindy Orlando among others.

Are you filing a request on behalf of another party?

No

If so, which party?

### **Fees and Waivers**

In order to help to determine my status to assess fees, you should know that I am:

Other

Are you willing to pay for the processing of your FOIA request?

No

If so, how much?

Depends on amount

Checked Please check if you would prefer an estimate of fees prior to processing.  
Please note: If you are not willing to pay, the National Park Service may not be able to process your request depending on the fees involved. The fee schedule is located at <http://www.doi.gov/foia/fees.html>.

Are you requesting a statutory fee waiver?

Yes

If so, please justify?

I am disabled and on a small fixed income which makes it hard for me to afford to pay the fee's that you may charge.

Thank you for your consideration of my request.

Sincerely,

Your Name: (b) (6)

### **How to Contact You:**

Email Address (b) (6)

Your postal address is required for the National Park Service to mail any responsive documents to you.

Mailing Address

Street Address: (b) (6)

City: (b) (6)

State: (b) (6)

Zip / Postal Code: (b) (6)

This Address is: Home Address

Name of Organization:

Phone No.: (b) (6)

Fax No.:

**Cindy Orlando**

(b) (6)

█

06/14/2012 02:45 PM

To Kay\_Molhoek@nps.gov, kevin\_killeen@nps.gov,  
Scott\_Wanek@nps.gov

cc

bcc

Subject Fwd: From NPS.gov: ATTN: Cynthia Orlando

Cindy

Sent from my iPhone

Begin forwarded message:

**From:** [Elizabeth\\_Bell@nps.gov](mailto:Elizabeth_Bell@nps.gov)

**Date:** June 14, 2012 3:41:05 PM MDT

**To:** [Cindy\\_Orlando@nps.gov](mailto:Cindy_Orlando@nps.gov)

**Subject:** Fw: From [NPS.gov](http://NPS.gov): ATTN: Cynthia Orlando

----- Forwarded by Elizabeth Bell/HAVO/NPS on 06/14/2012 11:40 AM -----

(b) (6)

█

06/14/2012 02:54  
PM CST

[havo\\_interpretation@nps.gov](mailto:havo_interpretation@nps.gov)

To

cc

Subject

From [NPS.gov](http://NPS.gov): ATTN: Cynthia Orlando

Email submitted from: (b) (6) at /havo/contacts.htm

Mailing Address:

(b) (6)

[Redacted]  
[Redacted]  
[Redacted]

I am writing you to officially request copies of training manuals and information that your National Park Rangers are given in how to deal with Disabled Persons, Document showing that the National Park Service can change and have changed of the U.S.D.O.J. A.D.A. as i was told by Ranger Mango in front of witnesses that are in existence, complete copy of the up to date Superintendent's Compendium as would be ordered and signed by you and would be required information for all park Rangers to read and follow along with copy of all training manuals and documents that all National Park Rangers under your jurisdiction and that work at Hawaii Volcanoes National Park are used for their training and guide their conduct to include definitions of laws and violations. Also the procedure for a ranger that commits assault and Battery against a disabled person are to be handled. These items are being requested under the federal freedom of information act. Also for investigation into the handling of the assault, Battery, Violations of civil, Constitutional and rights under the Department of Justice American with disabilities act by your officers. A reply to your intent to supply these items or not is requested as a show of cooperation or not.



# United States Department of the Interior

NATIONAL PARK SERVICE  
Pacific West Region  
333 Bush Street, Suite 500  
San Francisco, California 94104-2828



IN REPLY REFER TO:  
A 7221 (PWR-PA)

17 JUL 2012

(b) (6)

Dear (b) (6)

This letter is in response to your Freedom of Information Act (FOIA) requests sent by electronic mail to [havo\\_interpretation@nps.gov](mailto:havo_interpretation@nps.gov) on June 14, 2012, and via the National Park Service (NPS) FOIA web page on June 25, 2012. As previously conveyed to you in a June 29, 2012 letter from Kay Molhoek at Hawaii Volcanoes National Park, NPS has combined your requests for processing, tracking, and response. The Department of the Interior (DOI) tracking number for your requests is NPS-2012-00628. Please reference this number in any future correspondence regarding your requests.

In her letter to you, Ms. Molhoek sought clarification regarding the specific documents you seek. On July 6, 2012 you responded to her via electronic mail requesting the following records:

*"(1) Copies of all dash camera recordings audio and visual from all park ranger vehicles that were dispatched and on the scene of the incident on 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours.*

*(2) Copies of all dispatch recordings and radio communications along with any and all written and any sworn statements from dispatchers involving the incident 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours.*

*(3) Copies of all Photographic and recorded and written evidence from 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours.*

*(4) Copies of all statements of all Park Rangers and special agents to include paramedics on the scene on 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours.*

*(5) Copies of all recorded, written and sworn statements of all Personnel that reported the supposed dog running loose 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours.*

*(6) Copies of all written, recorded and sworn statements of Kilauea Military Camp connected with the incident 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours or taken any time having to relate to the incident.*

(7) Copies of all training materials and manuals for the National Park Rangers & police and other employee's on training having to do with training of the Department of Justice Americans with Disabilities acts and also on how to deal with disabled persons and service dogs to include all materials that the park has for training employee's about service dogs.

(8) Manuals and all documents for all park rangers and national park police on enforcement of the Americans with Disabilities laws.

(9) Manuals and all documents for all park rangers and national park police on use of force.

(10) All manuals and documents for national park rangers and personnel for the procedure and how to file formal documents and complaints for felony assault and Battery against a park guest by a park ranger.

(11) Copies of all evaluations and disciplinary actions verbal and written for his length of employment as a park ranger.

(12) All manuals and training materials that state the procedures and who is supposed to file a complaint for destruction of private property by a park ranger / employee.

(13) Names and address along with all written, recorded and sworn statements of all persons involved and related to the incident 10 May 2012 located in the national park involving the incident with (b) (6); His Medical Service Dog, and (b) (6) at approximately 1200 hours or taken any time having to relate to the incident.

(14) All written, recorder and sworn statements from the following persons:

Paramedic Wade Ferreira  
Firefighter Kamuela Moraes  
Ranger Anthony Lutz  
Chief Ranger Talmadge Mango  
Supervisory ranger Gail Minami - Judd  
Special Agent Neil Akana

To include those of the park employee that reported the dog running free in the area where (b) (6) (b) (6) and (b) (6) Medical Service dog were located and approached by Ranger Anthony Lutz in the incident 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours or taken any time having to relate to the incident.

All radio dispatchers on duty during the incident 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours or taken any time having to relate to the incident to include the original radio recordings.

(15) Any and all statements sworn, written or recorded from any and all employee's of the U.S.Army MWR center Kilauea Military Camp having to do with the incident 10 May 2012 located in the national park involving the incident with (b) (6) His Medical Service Dog, and (b) (6) at approximately 1200 hours or taken any time having to relate to the incident."

The park has forwarded your request to this office as required when any records must be withheld.

Regarding your request for item (1), no records exist. Law enforcement vehicles at Hawaii Volcanoes National Park do not include dash cameras or audio recording devices.

Regarding your request for items (7), (8), and (9) related to law enforcement manuals and training materials:

- National Park Service Reference Manual 9 for Law Enforcement is available at the following web site: [http://www.nps.gov/aboutus/foia/upload/RM-9\\_LawEnforcementManual\\_REDACTED\\_1\\_5\\_11.pdf](http://www.nps.gov/aboutus/foia/upload/RM-9_LawEnforcementManual_REDACTED_1_5_11.pdf).
- Please see the Hawaii Volcanoes National Park Superintendent's Compendium available at the following web site <http://www.nps.gov/havo/parkmgmt/upload/2012-Compendium-7-5-12.pdf>.
- The United States Department of Homeland Security Federal Law Enforcement Training Center (FLETC) provides the fundamental law enforcement training for NPS law enforcement rangers. We located one document, a Syllabus for the Land Management Police Training Program that originated at FLETC. In accordance with the Department of the Interior's FOIA regulations (43 CFR 2.22(b)(2)), we are referring the document to FLETC for a direct response. If you wish to contact that agency concerning your request, the mailing address is:

Federal Law Enforcement Training Center  
Freedom of Information/Privacy Office  
Building 681, Suite 187B  
Glynco, GA 21524

Regarding your request for item (10), no records exist.

Regarding your request for item (12), you can obtain a copy of Standard Form 95 "Claim for Damage, Injury or Death" at the following web site: [www.justice.gov/civil/docs/forms/SF-95.pdf](http://www.justice.gov/civil/docs/forms/SF-95.pdf).

Regarding your request for items (2), (3), (4), (5), (6), (13), (14), and (15), your request is denied. The National Park Service will not provide any records associated with this incident because law enforcement proceedings associated with the incident have not been completed and thus these records are protected under Exemption 7(A) of the FOIA (5 U.S.C. 552(b)(7)). Exemption 7 of the FOIA protects records or information compiled for law enforcement purposes, whereby the production of such law enforcement records or information could cause foreseeable harm. Specific to your request, exemption 7(A)(1), prohibits the release of information that could be expected to interfere with enforcement actions that are proceeding, pending, or prospective and the disclosure of the documents could be expected to cause harm, (i.e. disrupt, impede, delay, or otherwise harm the enforcement proceeding). Exemption 7(A)(2), allows the withholding of documents as long as the enforcement proceeding remains pending or prospective. You may wish to re-submit your request after the proceedings are complete.

Regarding your request for item (11), your request is denied. NPS does not provide records regarding any employee's performance under DOI IRM Bulletin No. 96-04 and Exemption 6 of the FOIA. Bulletin 96-04 guides the Department's bureaus in the processing of requests for personal and personnel-related information. A copy of Bulletin 96-04 is enclosed. The Department maintains that individuals identified in such records have privacy interests in withholding this information. We do not perceive, nor have you enunciated, any public interest that would be served in disclosing this data

that would outweigh the privacy interests of the subject individuals. Therefore, we withhold this information under Exemption 6 of the FOIA (5 U.S.C. 552(b)(6)), which permits an agency to withhold "personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy."

You have the right to appeal this decision by writing to the Department of the Interior FOIA Appeals Officer, MS-6556-MIB, 1849 C Street NW, Washington, D.C. 20240. Your FOIA appeal must be received by the FOIA Appeals Officer no later than 30 workdays after the date of this final response. A copy of your original request and all correspondence between you and the NPS regarding your request should accompany your appeal, as well as a brief statement of the reasons why you believe the initial decision to be in error. The appeal should be marked "Freedom of Information Act Appeal" both on the envelope and the face of the letter.

Alternatively, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a nonexclusive alternative to litigation.

Using OGIS services does not affect your right to pursue litigation. You may contact OGIS in any of the following ways:

Office of Government Information Services (OGIS)  
National Archives and Records Administration  
Room2510  
8601 Adelphi Road  
College Park, MD 20740-6001  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Phone: 301 -837-1996  
Fax: 301-837-0348  
Toll-free: 1-877-684-6448

In addition to myself, Attorney Advisor Deborah Bardwick and FOIA Officer Kevin Killeen participated in this decision. If you have questions about the processing of your FOIA request, Mr. Killeen can be reached at 206-220-4051.

Sincerely,



Christine S. Lehnertz  
Regional Director, Pacific West Region

Enclosure

cc: Kay Molhoek, Hawaii Volcanoes National Park

NPS-NPS-2012-00702



Ray Stern  
<ray.stern@newtimes.com>  
11/10/2011 12:24 PM

To janeen\_tyson@nps.gov  
cc  
bcc  
Subject FOIA request

Hi. This is an official FOIA request.

I'd like to see any paperwork related to taking of (b) (6) dog, Lobo.

(b) (6) was arrested in November 2010 after Park Police, believing mistakenly that his trailer was a bomb, searched the trailer and found three guns. He was later convicted of two misdemeanors.

(b) (6) spent two or three months in jail, and Park Police did something with his German Shepherd, which was in the trailer at the time. Please forward all records relating to the dog, if any. This should include all records related to this dog, whether written or electronic. By records I mean forms, memos, briefs, e-mails, handwritten notes, phone records, or any other kind of document, electronic or not.

Also, release paperwork/documents related to your agency's policies regarding the disposition of animals belonging to jailed suspects.

Please let me know as soon as you can how long it might take for your agency to satisfy this request.

Thanks.

Sincerely,

Ray Stern

--  
Ray Stern  
Phoenix New Times  
Staff Writer  
602-744-6584  
[ray.stern@newtimes.com](mailto:ray.stern@newtimes.com)

RAY STERN  
11/10/11  
JTS



# United States Department of the Interior

NATIONAL PARK SERVICE  
UNITED STATES PARK POLICE  
Headquarters  
1100 Ohio Drive, SW  
Washington, DC 20024



A7221 (NCR-PPPD)

DEC 12 2011

Mr. Ray Stern  
Staff Writer  
Phoenix New Times  
1201 East Jefferson  
Phoenix, Arizona 85034

Dear Mr. Stern:

This responds to your Freedom of Information Act (FOIA) request dated November 10, 2011, and received by the United States Park Police FOIA Officer on November 10, 2011. In your request, you seek any paperwork related to the taking of (b) (6) dog Lobo in November 2010, including all records, whether written or electronic, including forms, memos, briefs, emails, handwritten notes, phone records, or any other kind of document, electronic or not. You also request any release paperwork/documents relating to the U.S. Park Police policies regarding the disposition of animals belonging to jailed suspects.

The FOIA, 5 U.S.C. § 552, generally provides that the Government shall make documents available to the public for inspection and copying to the widest extent possible. However, certain classes of documents may be exempt if sound policy grounds exist for invoking an exemption. In addition, the Government is not required to create records to respond to requests under this Act. The Act applies only to records in existence at the time of a request.

Please find enclosed NPS Form 10-344B "Supplemental Criminal Incident Record," and page 2 of the Arrest/ Prosecution Report #531000777 with redactions, and General Order 3213 "Animal Incidents" that are responsive to your requests. We are withholding certain personal information pursuant to 5 U.S.C. §§ 552 (b)(6) and (b)(7)(C), insofar as it could reasonably be expected to constitute an unwarranted invasion of privacy. This withholding is also consistent with the Attorney General's FOIA Guidelines dated March 19, 2009.

Pursuant to 43 CFR § 2.22(b), we are referring a one-page document that originated with the Government of the District of Columbia, Department of Health, Animal Control Facility, 1201 New York Avenue, NE., Washington, DC 20002 for their release determination and direct response to you.

Under FOIA, you have the right to appeal this determination. Pursuant to 43 CFR § 2.29(a) your appeal must be received no later than 30 workdays from the date of this letter. Title 43 CFR § 2.30 provides "How do I file an appeal?" as follows:

- (a) You must submit your appeal in writing, i.e., by mail, fax or e-mail, to the FOIA Appeals Officer, U.S. Department of the Interior [at 1849 C Street, NW., Mail Stop 6556-MIB, Washington, D.C. 20240]. Your appeal must include the information specified in paragraph (b) of this section. Failure to send your appeal directly to the FOIA Appeals Officer may result in a delay in processing.

(b) You must include with your appeal copies of all correspondence between you and the bureau concerning your FOIA request, including your request and the bureau's response (if there is one). Failure to include with your appeal all correspondence between you and the bureau will result in the Department's rejection of your appeal, unless the FOIA Appeals Officer determines, in the FOIA Appeal Officer's sole discretion, that good cause exists to accept the defective appeal. The time limits for responding to your appeal will not begin to run until the documents are received.

(c) You also should include in as much detail as possible any reason(s) why you believe the bureau's response was in error.

(d) Include your name and daytime telephone number (or the name and telephone number of an appropriate contact), e-mail address and fax number (if available), in case DOI needs additional information or clarification of your appeal.

(e) If you file an appeal concerning a fee waiver denial or a denial of expedited processing, you should, in addition to complying with paragraph (b) of this section, demonstrate fully how the criteria in § 2.19(b) (see Appendix D) or § 2.14(a) are met. You also should state in as much detail as possible why you believe the initial decision was incorrect.

(f) All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL."

Finally, as part of the 2007 OPEN Government Act FOIA Amendments, now codified at 5 U.S.C. § 552(h)(1)(3), the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. (OGIS does not have the authority to handle requests made under the Privacy Act of 1974.) Using OGIS mediation services does not affect your FOIA litigation rights. You may contact OGIS in any of the following ways: (1) by mail at Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; (2) by e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); (3) by phone at (301) 837-1996; and (4) by fax at (301) 837-0348.

Pursuant to 43 CFR § 2.21(d)(5), Randolph J. Myers, Senior Attorney, Office of the Solicitor, U.S. Department of the Interior, Washington, DC 20240 was consulted regarding this decision.

Sincerely,



Teresa C. Chambers  
Chief of Police

Enclosures

Bcc:

USPP Planning  
USPP-FOIA- Tyson  
NPS-DOI-SOL- Myers

JCTYSON;jct:11/28/11 :FOIA-Stern, Ray re: (b) (6) dog Lobo;SOL/RMyers 12/7/11

NPS00918NPS-2012-00918

**Arnita Bowman**

(b) (6)

08/31/2012 04:26 PM

To Kevin - NPS West FOIA Killeen  
<kevin\_killeen@nps.gov>, Howard - GGNRA Levitt  
<howard\_levitt@nps.gov>  
cc skot\_jonz <skot\_jonz@nps.gov>  
bcc

Subject Freedom of Information Act Request - 2012 Visitor Survey  
for GGNRA Dog Walking

History:

This is a Freedom of Information Act Request for all data and any report or summaries related to the 2012 visitor surveys for dog walking in the GGNRA.

Please provide the data electronically either via email or CD in an Excel or CSV format and the summaries or reports in PDF or Word.

I am requesting a fee waiver based on my plans to provide this information to the public, if any significant findings are discovered. Below is my responses to the DOI standard questions for fee waivers.

Regards,  
Arnita Bowman

(b) (6)

### **Fee Waiver Justification**

The fee waiver should be granted because the information is (1) is likely to contribute significantly to public understanding of the operations and activities of the Government; and (2) is not primarily in my commercial interest. Please consider the following:

(1) How do the records concern the operations or activities of the Government?

The survey results relate to the upcoming SDEIS for the GGNRA dog management plan and provide information about the current usage of the GGNRA for people with dogs and the potential impact of NPS management plans on adjacent lands and local residents. The GGNRA is an urban recreational area, and one of the most popular recreational activities in the GGNRA is walking with a dog.

2) If the records concern the operations or activities of the Government, how will disclosure likely contribute to public understanding of these operations and activities?

(i) How are the contents of the records you are seeking meaningfully informative on the Department's or a bureau's operations and activities? Is there a logical connection between the content of the records and the operations or activities you are interested in?

The survey was conducted to address concerns regarding the health and well-being of residents and impacts on adjacent lands from the potential impact of NPS proposed plans to severely modify dog regulations and usage. The results of the survey are expected to be summarized in the upcoming SDEIS as a justification for NPS proposed alternatives.

(ii) Other than enhancing your knowledge, how will disclosure of the requested records contribute to the understanding of the public at large or a reasonably broad audience of persons interested in the subject?

a. The NPS received almost 5000 comments on the 2011 draft dog management plan. This was a plan that the GGNPC publically advocated for increasing restrictions on people with dogs. In addition, the SF Board of Supervisors passed a resolution regarding this plan; this resolution was because of the general public's concern with the plan. The role of the GGNPC in funding and developing the plan is of direct interest to the public and to local officials.

b. There are millions of visits to the GGNRA by residents of the SF Bay Area and articles regarding the GGNRA management plans and activities are routinely in the local newspapers.

(iii) Your identity, vocation, qualifications, and expertise regarding the requested information (whether you are affiliated with a newspaper, college or university, have previously published articles, books, etc.) may be relevant factors. However, merely stating that you are going to write a book, research a particular subject, or perform doctoral dissertation work, is insufficient, without demonstrating how you plan to disclose the information in a manner which will be informative to a reasonably broad audience of persons interested in the subject.

a. I have a Master's Degree in Accounting and nearly 20 years of experience as an auditor and have been conducting research for the dog community regarding the planned closure of off leash and on leash areas in the GGNRA.

b. I publish key information discovered via the SFDog, Ocean Beach Dog and SaveOffLeash blogs and newsletters as well as attending public festivals and public meetings to distribute information to the public. The blogs represent several thousands. I also testify at public hearings and present information to government officials and information that I provide is routinely used by others in their representations to the media.

(iv) Do you have the ability and intention to disseminate the information to the general public or a reasonably broad audience of persons interested in the subject?

(A) How and to whom do you intend to disseminate the information?

a. I will publish key information discovered via the SFDog, Ocean Beach Dog and SaveOffLeash blogs and newsletters as well as attending public festivals, public hearings, and meetings with government officials to distribute information. Even if the mainstream media does not consider the information news worthy, these outlets represent several thousand people.

b. If the information obtained includes significant findings relevant to the broader public, a press release will be issued containing the information and the broader media will be contacted.

(B) How do you plan to use the information to contribute to public understanding of the Government's operations or activities?

a. As stated I will publish and present the materials to the public if the review results in

any significant findings. Any significant findings will also be included in future communications with government officials and public comments to the dog management plan.

(3) If there is likely to be a contribution to public understanding, will release of the requested records contribute significantly to public understanding?

(i) Is the information being disclosed new?

a. I am not aware of the information being disclosed.

(ii) Does the information being disclosed confirm or clarify data which has been released previously?

a. I am not aware of the information being disclosed.

(iv) How will disclosure increase the level of public understanding of the operations or activities of the Department or a bureau that existed prior to disclosure?

a. I am not aware of the details of contracts and agreements with GGNRA partners other than superficial representations on the NPS and GGNPC website.

(v) Is the information already publicly available? If the Government previously has published the information you are seeking or it is routinely available to the public in a library, reading room, through the Internet, or as part of the administrative record for a particular issue (e.g., the listing of the spotted owl as an endangered species), it is less likely that there will be a significant contribution from release.

a. I am not aware of the information being disclosed.

(4) Would disclosure be primarily in your commercial interest?

(i) Do you have a commercial interest that would be furthered by disclosure? A commercial interest is a commercial, trade, or profit interest as these terms are commonly understood. Your status as “profit making” or “non-profit making” is not the deciding factor. Not only profit making entities, but other organizations or individuals may have a commercial interest to be served by disclosure, depending on the circumstances involved.

a. I have no commercial interest in any of the activities of the NPS or any of the contracts or agreement other information requested. My interest is strictly as a park user and concerned US citizen that routinely publishes information to the San Francisco Bay Area dog and recreation community.

(ii) If you do have a commercial interest that would be furthered by disclosure, would disclosure be primarily in that interest? Would the public interest in disclosure be greater than any commercial interest you or your organization may have in the documents? If so, how would it be greater?

(iii) Your identity, vocation, and the circumstances surrounding your request are all factors to be considered in determining whether disclosure would be primarily in your commercial interest. For example:

(A) If you are a representative of a news media organization seeking information as part of the news gathering process, we will presume that the public interest outweighs your commercial interest.

(B) If you represent a business/corporation/association or you are an attorney representing such an organization, we will presume that your commercial interest outweighs the public interest unless you demonstrate otherwise.

(c) If the bureau cannot make a determination based on the information you have provided, it may ask you for additional justification regarding your request.

I have no commercial interest so this point does not relate to me. The circumstances behind my request and my non-commercial intentions are outlined in (2) above.

From: [Howard Levitt](#)  
To: (b) (6)  
Cc: [Alexandra Picavet](#); [Doug Houck](#); [Kevin Killeen](#)  
Subject: CORRECTION : Freedom of Information Act Request - 2012 Visitor Survey for GGNRA Dog Walking NPS-2012-00918  
Date: 10/12/2012 02:00 PM  
Attachments: [goga-data.csv](#)  
[GGNRA Redistribution Survey FINAL 9.26.12.pdf](#)

---

Dear Ms. Bowman: Attached is the study resulting from the data I sent you earlier today. I had meant to include it in my previous email note. Sorry for the inconvenience. Howard Levitt



GGNRA Redistribution Survey FINAL 9.26.12.pdf

Howard Levitt  
Director of Communications and Partnerships  
Golden Gate National Recreation Area  
Building 201, Fort Mason  
San Francisco, California 94123  
phone: 415 561-4730  
fax: 415 561-4710  
mobile: 415 725-8589

-----  
Experience Your America  
▼ [Howard Levitt](#)

**Howard  
Levitt**

10/12/2012  
12:15 PM  
PDT

To: (b) (6)  
cc: Kevin Killeen/Seattle/NPS@NPS, Doug  
Houck/Seattle/NPS@NPS, Alexandra Picavet/GOGA/NPS@NPS  
Subject: Freedom of Information Act Request - 2012 Visitor  
Survey for GGNRA Dog Walking

Dear Ms. Bowman:

Re: FOIA NPS-2012-00918

Attached is a file containing the data from the 2012 visitor survey for dog walking in the GGNRA that you requested in your email correspondence of August 31, 2012. The data is in raw form, as you requested.

With the provision of this information, we consider FOIA NPS-2012-00918 to be closed.

Sincerely,

Howard Levitt



goga-data.csv

Howard Levitt  
Director of Communications and Partnerships  
Golden Gate National Recreation Area  
Building 201, Fort Mason  
San Francisco, California 94123  
phone: 415 561-4730  
fax: 415 561-4710  
mobile: 415 725-8589

-----  
Experience Your America

**NPS-NPS-2013-00703013-00703**



# United States Department of the Interior

NATIONAL PARK SERVICE  
INTERMOUNTAIN REGION  
12795 West Alameda Parkway  
P.O. Box 25287  
Denver, Colorado 80225-0287



IN REPLY REFER TO:

IMR/13-83

JUN 27 2013

Ms. Tamara Sluder

(b) (6)

Dear Ms. Sluder:

This letter is in final response to your June 25, 2013, Freedom of Information Act (FOIA) request, made to the National Park Service, for documents related to a "...June 16, 2013 (event) at Elk Creek Campground..." located within Black Canyon of the Gunnison National Park in Colorado.

It is the policy of the National Park Service (NPS) to: (1) make records of the NPS available to the public to the greatest extent possible in keeping within the spirit of the FOIA; (2) make documents requested under the FOIA available at the earliest possible date while, at the same time, protecting the rights of the individuals involved and the administrative processes surrounding such rights; and (3) withhold documents falling within one of the FOIA exemptions only if disclosure is prohibited by either statute, regulation an/or Executive Order (EO).

Again, your request is being processed under the provisions of the Freedom of Information Act (5 U.S.C. 552); United States Department of the Interior ("Department") implementing regulations found at 43 C.F.R., Part 2, Subparts A through E, beginning at 2.1; and the Privacy Act of 1974 (5 U.S.C. 552a (2006)). Please be advised that additional FOIA and/or Privacy Act guidance /regulations may also be found at either the Department's web site, [www.doi.gov/foia](http://www.doi.gov/foia) or at the United States Department of Justice web site, [www.usdoj.gov](http://www.usdoj.gov).

(Note: Concerning requests for law enforcement records only, please know that Congress has excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552© (2006 & Supp. IV (2010)). This response is limited to those documents that are subject to the requirements of the FOIA. 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.)

NPS-2013-00703

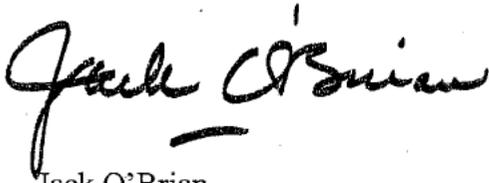
Page 2

Enclosed, please find the NPS documents responsive to your request. No documents have either been denied or otherwise withheld from you in this matter. There have been made, though, pursuant to statute, some minor redactions of strictly personal information the NPS provision of such would clearly constitute both an illegal and unwarranted invasion of personal privacy.

This response constitutes a full and final NPS review of your request.

Thank you for your interest in Black Canyon of the Gunnison National Park and the National Park Service.

Sincerely,

A handwritten signature in black ink that reads "Jack O'Brian". The signature is written in a cursive style with a horizontal line underneath the name.

Jack O'Brian  
Freedom of Information/Privacy Act Officer  
Intermountain Region/NPS

✓ Enclosures

O'Brian, Jack &lt;jack\_o'brian@nps.gov&gt;



## BLCA incident report: From NPS.gov: FOIA Request

1 message

Wilson, Charis <charis\_wilson@nps.gov>  
 To: Jack O'Brian <Jack\_O'Brian@nps.gov>  
 Cc: naturesfriend@q.com

Wed, Jun 26, 2013 at 10:50 AM

Hi Jack,

I'm not sure why the park had her submit this as a FOIA, it sounds to me like it could have been handled as a routine use release under NPS-19. Either way, I'm sending this your way so you can work with the park to get the requester the records.

Thanks,

C.

Ms. Charis Wilson, MLS, CRM  
 NPS FOIA Officer  
 12795 W. Alameda Parkway  
 PO Box 25287  
 Denver, CO 80225-0287  
 303-969-2959  
 Fax: 303-969-2557  
 1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

----- Forwarded message -----

From: <(b) (6) @q.com>  
 Date: Tue, Jun 25, 2013 at 10:25 PM  
 Subject: From NPS.gov: FOIA Request  
 To: npsfoia@nps.gov  
 Cc: (b) (6) @q.com

Email submitted from: foia-contact.htm

Dear FOIA Officer:

This is a request filed under the Freedom of Information Act.

What park are you requesting records from? (If you do not know please enter N/A.)

## Black Canyon of the Gunnison National Park

- Please describe the record(s) you are seeking so that an employee familiar with the subject area of the request may locate the record(s) with a reasonable amount of effort. Please include descriptive information, time frame to be searched, etc.

This event occurred on June 16, 2013 at the Elk Creek Campground. Our dog was attacked by another campers dog and injured. Both were on leashes but the lab broke loose and attacked our dog. We had to seek medical care that day. Our dog Katie had 2 large wounds to her leg that had to be stitched up by the Town and Country vet hospital in Gunnison. We have incurred medical bills that we want reimbursement for. Melissa Post took the report.

Are you asking for expedited processing of your request?

No

If so, why?

Are you filing a request on behalf of another party?

No

If so, which party?

**Fees and Waivers**

In order to help to determine my status to assess fees, you should know that I am:

Other

Are you willing to pay for the processing of your FOIA request?

No

If so, how much?

Not Checked Please check if you would prefer an estimate of fees prior to processing.

Please note: If you are not willing to pay, the National Park Service may not be able to process your request depending on the fees involved. The fee schedule is located at <http://www.doi.gov/foia/fees-waivers.cfm>.

Are you requesting a statutory fee waiver?

Yes

If so, please justify?

I was told by Marc Yeston of the Black Canyon Park that there would be no fee for my request.

Thank you for your consideration of my request.

Sincerely,

Your Name: (b) (5)

**How to Contact You:**

Email Address (b) (6) (b) (5)

Your postal address is required for the National Park Service to mail any responsive documents to you.

Mailing Address

Street Address: (b) (6)

City: (b) (6)

State: (b) (6)

Zip / Postal Code: (b) (6)

This Address is: Home Address

Name of Organization:

Phone No.: (b) (6)

Fax No.:

NPSNPS-2013-008060080

6

Hi Kevin & Doug,

This one came in Friday afternoon. It looks like the park should be able to handle it as a routine use release under NPS-19, but I'm routing it to you in case it turns out we have to process it as a FOIA.

Thanks,

C.

---

Ms. Charis Wilson, MLS, CRM  
NPS FOIA Officer  
12795 W. Alameda Parkway  
PO Box 25287  
Denver, CO 80225-0287  
303-969-2959  
Fax: 303-969-2557  
1-855-NPS-FOIA

"What we find changes who we become." - Peter Morville

"The historian works with records...there is no substitute for records: no records, no history." - Paraphrasing Langlois & Seignobos (1903)

"Let us be guardians, not gardeners" - Unknown, From 1963 Living Wilderness editorial - Attributed to Adolph Murie

----- Forwarded message -----

From: (b) (6)  
Date: Fri, Aug 2, 2013 at 12:53 PM  
Subject: From NPS.gov: FOIA Request  
To: [npsfoia@nps.gov](mailto:npsfoia@nps.gov)  
Cc: (b) (6)

Email submitted from: foia-contact.htm

Dear FOIA Officer:

This is a request filed under the Freedom of Information Act.

What park are you requesting records from? (If you do not know please enter N/A.)  
Old Fort Spokane/ Lake Roosevelt National Recreation Area

Please describe the record(s) you are seeking so that an employee familiar with the subject area of the request may locate the record(s) with a reasonable amount of effort. Please include descriptive information, time frame to be searched, etc.

Case # NP13036427 Dog Bite on 6/27/2013 at old fort spokane camp ground there was statements and pic's taken by park rangers involving (b) (6) & (b) (6), the party at fault was (b) (6)

Are you asking for expedited processing of your request?  
Yes

If so, why?  
we need this info for our attorney we have sent in a request already the first part of July

Are you filing a request on behalf of another party?  
No  
If so, which party?

**Fees and Waivers**

In order to help to determine my status to assess fees, you should know that I am:

Other

Are you willing to pay for the processing of your FOIA request?  
No  
If so, how much?

Not Checked Please check if you would prefer an estimate of fees prior to processing.  
Please note: If you are not willing to pay, the National Park Service may not be able to process your request depending on the fees involved. The fee schedule is located at <http://www.doi.gov/foia/fees-waivers.cfm>.

Are you requesting a statutory fee waiver?  
No  
If so, please justify?

Thank you for your consideration of my request.

Sincerely,

Your Name: (b) (6)

**How to Contact You:**

Email Address (b) (6)

Your postal address is required for the National Park Service to mail any responsive documents to you.

**Mailing Address**

Street Address: (b) (6)

City: (b) (6)

State: (b)

Zip / Postal Code: (b) (6)

This Address is: Home Address

Name of Organization:

Phone No.: home # (b) (6)

Fax No.:



# United States Department of the Interior



NATIONAL PARK SERVICE  
Pacific West Region  
333 Bush Street, Suite 500  
San Francisco, California 94104-2828

IN REPLY REFER TO:  
A 7221 (PWR-PA)

06 SEP 2013

(b) (6)

Dear (b) (6) and (b) (6):

This is in response to your Freedom of Information Act (FOIA) request submitted to the National Park Service (NPS) FOIA website on August 2, 2013. The Department of the Interior tracking number for this request is NPS-2013-00806. Please include this number in future correspondence regarding your request.

You requested:

*"Case # NP13036427 Dog Bite on 6/27/2013 at Old Fort Spokane camp ground there was statements and pic's taken by park rangers involving (b) (6) and (b) (6) (b) (6) the party at fault was (b) (6)." "*

Lake Roosevelt National Recreation Area staff located the records you requested and forwarded them to this office as policy requires when any documents must be redacted. The records are enclosed with certain personal privacy information redacted under Exemption 6 of the FOIA. This includes individuals' names, personal addresses, telephone numbers and cell phone numbers. The Department maintains that individuals have a personal privacy interest in this information. You have not articulated a reason that public interest would be served that would outweigh this privacy interest should NPS disclose the data about the subject individuals. Therefore, sound grounds exist for withholding the information pursuant to Exemption 6 of the FOIA (5 USC 552 (b) (6)) which permits an agency to withhold "personal and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy."

You have the right to appeal any decisions regarding this response by writing to the Department of the Interior FOIA Appeals Officer, MS-6556-MIB, 1849 C Street NW, Washington, D.C. 20240. Your FOIA appeal must be received by the FOIA Appeals Officer no later than 30 workdays after the date of this final response. A copy of your original request and all correspondence between you and the National Park Service regarding your request should accompany your appeal, as well as a brief statement of the reasons why you believe the initial decision to be in error. The appeal should be marked "Freedom of Information Act Appeal" both on the envelope and the face of the letter.

TAKE PRIDE<sup>®</sup>  
IN AMERICA 

Alternatively, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a nonexclusive alternative to litigation.

Using OGIS services does not affect your right to pursue litigation. Contact information for the OGIS is:

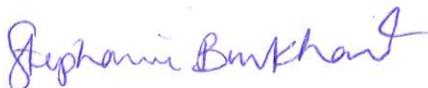
Office of Government Information Services (OGIS)  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001

Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Phone: 301-837-1996  
Fax: 301-837-0348  
Toll-free: 1-877-684-6448

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 response is limited to those records that are subject to the requirements of the FOIA. 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.

Attorney Advisor Marlene Zichlinsky and FOIA Officer Kevin Killeen participated in this decision. If you have questions about the processing of your FOIA request, Mr. Killeen can be reached at 206-220-4051.

Sincerely,



*Acting*  
Christine S. Lehnertz  
Regional Director, Pacific West Region

Enclosure

cc: Lorie Carstensen, Lake Roosevelt National Recreation Area

NPS-

NPS-2013-0081913-00819

RECEIVED

AUG 06 2013

LARO HQ

Providing Insurance and Financial Services  
Home Office, Bloomington, IL



June 28, 2013

Lake Roosevelt National Recreation Area  
Attn: Dan Fange-Gritis  
1008 Crest Dr.  
Coulee Dam, WA 99116

State Farm Claims  
P.O. Box 52276  
Phoenix AZ 85072-2276

RE: Claim Number: 47-21G4-459  
Date of Loss: June 27, 2013  
Our Insured: (b) (6)  
Claimant Name: (b) (6)

Dear Mr. Fange-Gritis :

We have a Homeowner's policy for (b) (6) who owned one of the dog's involved. Enclosed is a copy of our FOIA Request Form to help us with our investigation of this accident.

Thank you for your assistance.

Sincerely,

Beth Phipps  
Claim Representative  
(800) 472-9232 Ext. 5034436550

Fax: (888) 251-6069

State Farm Fire and Casualty Company

Enclosure: FOIA Request Form

**It is a crime to knowingly provide false, incomplete, or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines, and denial of insurance benefits.**

NPS 10-339  
NEW (12/04)

**FOIA REQUEST FORM**

**NATIONAL PARK SERVICE**

DATE: 06/27/2013

NATIONAL PARK SERVICE  
**LAKE ROOSEVELT NATIONAL RECREATION AREA**  
**ATTN: DAN FANGEN-GRITIS**  
**1008 CREST DRIVE**  
**COULEE DAM, WA 99116**

SUBJECT: REQUEST FOR INFORMATION UNDER FOIA/PRIVACY ACT

UNDER THE PROVISIONS OF THE FREEDOM OF INFORMATION ACT (5 U.S.C. 552), I AM REQUESTING A COPY OF ANY DOCUMENTS PERTAINING TO MOTOR VEHICLE ACCIDENT REPORTS. PERTAIN TO ME (OR THE PERSON I REPRESENT) THAT IS MAINTAINED IN THE NATIONAL PARK SERVICE. I SPECIFICALLY REQUEST THE FOLLOWING:

CASE #NP13036427      06/27/2013 - DOG BITE  
(CASE INCIDENT REPORT NUMBER AND DATE OF INCIDENT)

PLEASE SEND THE REQUESTED INFORMATION TO THE FOLLOWING ADDRESS:

Beth Phipps, Claim Representative  
c/o State Farm Claims  
P.O. Box 52276  
Phoenix, AZ  
85072-2276

SINCERELY,

Beth Phipps  
(SIGNATURE OF REQUESTOR)

Thank you



# United States Department of the Interior



NATIONAL PARK SERVICE  
Pacific West Region  
333 Bush Street, Suite 500  
San Francisco, California 94104-2828

IN REPLY REFER TO:  
A 7221 (PWR-PA)

09 SEP 2013

Beth Phipps  
State Farm Claims  
PO Box 52276  
Phoenix, AZ 85072-2276

Dear Ms. Phipps:

This is in response to your Freedom of Information Act (FOIA) request, dated June 28, 2013, and received at Lake Roosevelt National Recreation Area on August 6, 2013. The Department of the Interior FOIA tracking number for this request is NPS-2013-00819. Please include this number in all future correspondence regarding your request.

You sought a copy of Case Incident Report NP13036427 as you have a homeowner's insurance policy for (b) (6) who owns one of the dogs involved in the incident.

Lake Roosevelt National Recreation Area staff located the records you requested and forwarded them to this office as policy requires when any documents must be redacted. The records are enclosed with certain personal privacy information redacted under Exemption 6 of the FOIA. This includes individuals' names, personal addresses, telephone numbers and cell phone numbers. The Department maintains that individuals have a personal privacy interest in this information. You have not articulated a reason that public interest would be served that would outweigh this privacy interest should NPS disclose the data about the subject individuals. Therefore, sound grounds exist for withholding the information pursuant to Exemption 6 of the FOIA (5 USC 552 (b) (6)) which permits an agency to withhold "personal and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy."

You have the right to appeal any decisions regarding this response by writing to the Department of the Interior FOIA Appeals Officer, MS-6556-MIB, 1849 C Street NW, Washington, D.C. 20240. Your FOIA appeal must be received by the FOIA Appeals Officer no later than 30 workdays after the date of this final response. A copy of your original request and all correspondence between you and the National Park Service regarding your request should accompany your appeal, as well as a brief statement of the reasons why you believe the initial decision to be in error. The appeal should be marked "Freedom of Information Act Appeal" both on the envelope and on the face of the letter.

Alternatively, as part of the 2007 OPEN Government Act FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and federal agencies as a nonexclusive alternative to litigation.



Using OGIS services does not affect your right to pursue litigation. Contact information for the OGIS is:

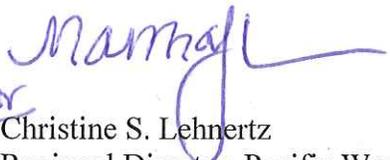
Office of Government Information Services (OGIS)  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001

Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Phone: 301-837-1996  
Fax: 301-837-0348  
Toll-free: 1-877-684-6448

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 response is limited to those records that are subject to the requirements of the FOIA. 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.

Attorney Advisor Marlene Zichlinsky and FOIA Officer Kevin Killeen participated in this decision. If you have questions about the processing of your FOIA request, Mr. Killeen can be reached at 206-220-4051.

Sincerely,

  
for Christine S. Lehnertz  
Regional Director, Pacific West Region

Enclosure

cc: Lorie Carstensen, Lake Roosevelt National Recreation Area