



United States Department of the Interior

FISH AND WILDLIFE SERVICE

5275 Leesburg Pike, MS: IRTM
Falls Church, VA 22041



August 25, 2023

Mr. Brandon Lingle
San AntonioExpress- News
PO Box 2171
San Antonio, TX 78297

REF: DOI-FWS-2023-004043

Dear Mr. Lingle:

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated April 18, 2023 and assigned tracking number FWS-2023-004043. Please refer to tracking number in communications regarding this request. You requested the following:

1) Seeking any records/documents regarding Non-Disclosure agreements involving U.S. Fish & Wildlife, scientists/experts and the Space Exploration (SpaceX), or any of its entities, in Texas. 2) Seeking SpaceX reports submitted to U.S.F.W.S. following the Superheavy Booster static fire on Feb. 9, 2023. See reference in "5-12-2022 SpaceX Final BCO_signed with appendix A-D.pdf" --"SpaceX will continue contracting a qualified biologist to conduct pre- and post-launch biological monitoring (vegetation and birds). Monitoring will be conducted within 1 mile of the VLA up to a week before a Starship or Super Heavy launch and the day after the launch. Monitoring reports will be sent to the Service within two weeks following compilation and analysis of the data." 3) Status of SpaceX coordination with the U.S.F.W.S. to determine the feasibility of constructing wildlife crossings along SH 4 west of the first public hard checkpoint to benefit the ocelot and jaguarundi.

Response

We writing to respond to your request. We have identified 4 documents (26 pages) responsive to your request which are being released to you in their entirety. For additional records relating to SpaceX please visit FWS Reading Room, under SpaceX:

<https://www.fws.gov/program/fws-freedom-information-act-foia/foia-reading-room>

Mediation/Dispute Resolution

If after contacting us as described below, you need further information or assistance with your request, you may wish to seek dispute resolution services from the Department's FOIA Public Liaison, Natasha Jones by email at doifoiapublicliaison@sol.doi.gov.

If you need further information or assistance after contacting the Department's FOIA Public Liaison, you may wish to seek dispute resolution services from the Office of Government Information Services (OGIS). The 2007 FOIA amendments created the OGIS to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive 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
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://www.archives.gov/ogis>
Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

Conclusion

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See [5 U.S.C. 552\(c\)](#). This response is limited to those records that are subject to the requirements of 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.

This is our final response and closes your request DOI-FWS-2023-004043. If you have any questions about our response to your request, you may contact me by email at monika_malnowicz@fws.gov, or by mail at U.S. Fish and Wildlife Service; ATTN: FOIA Office; 5275 Leesburg Pike; MS: IRTM; Falls Church, VA 22041.

Sincerely,

Monika Malnowicz
FWS FOIA Coordinator