

**UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA**

CENTER FOR FOOD SAFETY, et al.,	)
	)
Plaintiffs	)
	)
vs.	)
	)
KEN SALAZAR, Secretary, United States	)
Department of the Interior, et al.,	)
	)
Defendants	)

Case No. 1:11-cv-01457

**DECLARATION**

I, DAVID VIKER, declare as follows:

1. I am an employee of the Fish and Wildlife Service (FWS), a bureau of the United States Department of the Interior. I serve as the Chief for the Southeast Region’s National Wildlife Refuge System, encompassing 10 southeastern states, Puerto Rico, and the U.S. Virgin Islands.
  
2. In the performance of my duties as Refuge Chief, through a number of managers who report to me, I oversee and supervise the operation of the 129 units of the National Wildlife Refuge System.
  
3. I am familiar with the cooperative farming program conducted on these refuges, and I am also familiar with the above-captioned matter.
  
4. Farming is an integral part of refuge management in the Southeast Region. Each winter the refuges of the Atlantic and Mississippi Flyways receive hundreds of thousands of waterfowl that overwinter there. Cooperative farming is a necessity in the Southeast Region if FWS is to meet its national and international obligations with respect to providing food for overwintering waterfowl.
  
5. It is the intention of the FWS to take the following steps:
  - a. Within 30 days of the date of this Declaration, Southeast refuges will be instructed that Genetically Engineered (GE) crops may not be planted in any force account farming program, and all holders of cooperative farming agreements will be notified that planting GE crops in Southeast Region refuges is not allowed after the end of growing season 2012 until the completion of: i) an appropriate analysis required by the National Environmental

Policy Act (NEPA), and ii) refuge specific compatibility determinations for the use of GE crops in the cooperative farming program on those refuges. We cannot restrict the use of GE crops in 2012 because doing so would cause irreparable financial harm to farmers due to the pre-purchase of seed.

b. FWS will complete one or more environmental assessments (EA) of the use of GE crops in the Southeast Region's farming program. If the EA does not result in a finding of no significant impact (FONSI), an environmental impact statement (EIS) will be prepared.

c. FWS shall not permit the planting of GE crops on the refuges of the Southeast Region until sixty (60) days after completion of the appropriate NEPA documents.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 20<sup>th</sup> day of March, 2012.

A handwritten signature in black ink, appearing to read 'D. Viker', is written over a horizontal line. To the right of the signature, the date '3/21/2012' is written.

David Viker