

PROTECT THE PUTT-PUTT

A COMMUNITY ORGANIZATION

970 W BROADWAY #378
JACKSON, WY 83001

August 8, 2009

VIA FEDEX EXPRESS TO:

John Kuzloski, FOIA Coordinator
Bridger-Teton National Forest
340 N Cache
Jackson, WY 83001

Re: FOIA request / fee waiver requested

Dear FOIA Officer:

We are a grass-roots organization of citizens who are alarmed by and deeply concerned about the planning and decision-making process utilized by the Bridger-Teton National Forest (BTNF), its Jackson District Office (JDO), and its office for the National Forest Intermountain Region, to sell our public lands via the North Cache Conveyance Project proposal pursuant to the Forest Service Facility Realignment and Enhancement Act of 2005 (FSFREA). Moreover, we are even more alarmed and concerned by the planning and decision-making process used by the BTNF to expend public funds generated by this conveyance for housing development of virgin forest on its Nelson Administrative Site. In order to better understand this process and the rationale of the agencies involved, we need information from you.

REQUESTED INFORMATION

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552 (FOIA), we request access to and/or copies of information related to the BTNF North Cache Conveyance Project proposal and related to development of the BTNF Nelson Administrative Site as follows.

1. FSFREA Planning Documents and work-product pertaining to the North Cache Conveyance Project including, but not limited to, the following:
 - a. BTNF/JDO Facilities Master Plan(s);
 - b. Nomination(s) of this conveyance by regional office,
 - c. Conveyance Project Fact Sheet(s);
 - d. Conveyance Project List Spreadsheet(s);
 - e. All reports to Congress under FSFREA including any initial report and all progress reports,
 - f. All drafts of public notices and scoping documents, whether published or not;

- e. All other internal letters, drafts, memos, e-mails, employee comments, meeting notes, contracts, time sheets, invoices, records of payment, synopses, analysis and work product that you produced or received in developing NEPA documents needed for redevelopment of the BTNF Nelson Administrative Site.
4. All other documents pertaining to planning for redevelopment of the BTNF Nelson Administrative site including, but not limited to, the following:
 - a. Data relevant to and your analysis of alternative funding sources in addition to or instead of FSFREA funds generated by the North Cache Conveyance Project, or lack thereof;
 - b. Data relevant to and your analysis of current BTNF/JDO employee housing needs, including current lists of all BTNF/JDO employees, their current housing location and any ownership interests, employees' attempts to obtain affordable housing in the community, assistance you have attempted or provided to your BTNF/JDO employees to obtain housing, and any comments or other input from BTNF/JDO employees regarding their housing needs, or lack thereof;
 - c. Data relevant to and your analysis of future BTNF/JDO employee housing needs, future plans for hiring and staff development, plans for transfers and relocation of existing employees, plans for transfer of existing housing to future BTNF/JDO employees, or lack thereof;
 - d. Data relevant to and your analysis of alternatives to development on the North Cache Administrative Site in order to meet any such housing needs that you identified above, consideration for and attempts to secure housing through means besides new construction, consideration for development of other sites within or outside of the BTNF, consideration for and attempts to obtain increased housing allowances BTNF/JDO employees, consideration for and attempts to work with local housing authorities to obtain affordable housing for BTNF/JDO employees, or lack thereof;
 - e. Data relevant to and your analysis of costs for development of the BTNF Nelson Administrative and costs of the various alternatives to your employee housing needs identified in your analysis above, or lack thereof;
 - f. Selection processes of and participation by contractors, developers, planning professionals, architects, engineers, biologists, BTNF/JDO employees, and others involved in planning North Cache redevelopment, including applications, bids, proposals, contracts, billings, data generated by and analysis of issues identified above, recommendations, and other information provided by such contractors, developers, planning professionals, architects, engineers, biologists, BTNF/JDO employees, and any others involved in planning North Cache redevelopment;
 - g. Town of Jackson and Teton County funding and participation;
 - h. Other funding sources for your planning process;
 - i. Participation, official or otherwise, by any federal office, agency or official, any local, state, and federal elected or appointed officials or employees;

- j. Comments, participation, and any other input by any other member of the public, your records and catalogs of such communications, and your internal memos, synopses, and interpretations of such comments, participation, and any other input;
 - k. Internal preparation for public presentation and public participation in your planning process;
 - l. Internal preparation for presentation to Town of Jackson and Teton County officials at public meetings or otherwise;
 - m. Your letters, e-mails, and records of verbal communications sent or received by your agency, your records and catalogs of such letters, e-mails, and other communications, and your internal memos, synopses, and interpretations of such letters, e-mails, and other communications regarding preparations for and planning of redevelopment of the Nelson Administrative Site;
 - n. All other internal letters, drafts, memos, e-mails, meeting notes, contracts, time sheets, invoices, records of payment, synopses, analysis and work product that you produced or received in regard to redevelopment of the BTNF North Cache Administrative Site.
5. Identify any documents known to you that are not in your possession or are not covered by this FOIA request but are relevant to the subject matter of this request.

PUBLIC INFORMATION

To the extent that any of this requested information is public or otherwise available, we respectfully request your assistance to obtain such information irrespective of whether it is eligible for disclosure under the FOIA. We are a group of concerned citizens without the resources and sophistication to independently access even public information relevant to this request without your assistance. Accordingly, please identify any such information that is public or otherwise available and provide access and/or copies.

REQUESTS TO OTHER OFFICES AND AGENCIES

This request is made individually and collectively to the National Forest Service, the Intermountain Regional Office, the Bridger-Teton National Forest and its Jackson District Office. To the extent that identical information exists in different locations, please identify any such duplication of information.

FEE WAIVER REQUEST

Please waive any applicable fees. Release of this information is in the public interest because it will contribute significantly to public understanding of government operations and activities. We are entitled to a fee waiver for the following reasons:

1. The subject of the requested records concerns government operations and activities.
2. The disclosure will contribute to our understanding of these operations or activities;
3. Disclosure will likely result in better public understanding of the North Cache Conveyance Project and the way in which the BTNF has planned to redevelop its Nelson Administrative Site;
4. The contribution to public understanding of government operations or activities will be significant;
5. We have no commercial interest in this disclosure; and
6. The public interest in this disclosure is far greater than any commercial interest anyone might have in this information.

Accordingly, this is just the sort of information and we are just the sort of organization for which the FOIA fee waiver provision exists. Moreover, this request is not intended to unduly burden the BTNF or its regional office. We have made every effort to narrow this request as much as possible. Therefore, we are entitled to a fee waiver for this request.

METHOD OF CONVEYANCE

In order to save your time and resources, please convey your response to this request by any available means that is most cost-effective for you. For example, a computer disk with PDF images and/or Microsoft formatted documents would be acceptable.

DELETIONS FROM REQUESTED INFORMATION

If our FOIA request is denied in whole or part, we ask that you specifically identify materials deleted from your response and justify all deletions by reference to specific exemptions of the act. We also expect you to release all segregable portions of any otherwise exempt material. We, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

Thank you for your complete and timely response within 20 business days, as the FOIA statute requires.

Sincerely,

Charles L. Payne, Jr.