UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

DEC 1 8 2014

Brian Murphy
Manning & Kass LLP
550 C St. Suite 900
San Diego, CA 92101

Dear Mr. Murphy:

This letter responds to your Freedom of Information Act (FOIA) request, dated November 7, 2014. In that email you requested copies of all documents related in any way to Pinetrees Beach House, 5404 Weke Road, Hanalei, HI 96714 (Tax Map Key 4-5-5-005-015) including the following: all documents, all writings, emails, correspondence, notices, permits, evidence of fines, computer screen prints, memoranda, reports, notes, minutes, contracts, agreements, records, invoices, ledgers, sketches, diagrams, calculations, evaluations, analyses, photographs, facsimiles, and telegrams.

Information responsive to your request is attached. We are unable to provide you with portions of two documents which have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. 552(b)(7)(A) and (C). The exempted portions either contain personal privacy information (Exemption 7(C)), or information that may interfere with potential enforcement proceedings (Exemption 7(A)).

You may appeal this partial denial to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal may include as much or as little related information as you wish, as long as it clearly identifies the determination being appealed (including the assigned FOIA request number – EPA-R9-2015-001314). For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Please contact Kate Rao of my staff at (415) 972-3533, or Brett Moffatt of our Office of Regional Counsel at (415) 972-3946, should you have any questions concerning this matter.

Sincerely,

Jane Diamond, Director
Water Division

Attachments

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