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February 2, 2016

Submitted via FOIA Online

U.S. EPA Region 9
FOIA Officer OPA-3
75 Hawthorne Street
San Francisco, CA 94105
Email: r9foia@epa.gov

Re: Freedom of Information Act Request

Dear Sir or Madam:

On May 30, 2012, DMB Redwood City Saltworks (Saltworks) submitted a request for a formal, legally binding, and final jurisdictional determination (JD) under the Rivers and Harbors Act (RHA) and the Clean Water Act (CWA) for the 1,365-acre Redwood City Salt Plant (Salt Plant) in San Mateo County, California. This is a request pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and EPA's FOIA regulations, 40 C.F.R. Part 2, for EPA records. In accordance with these authorities, please make available a copy of any responsive documents[1] related to the DMB Redwood City Salt Plant (also known as DMB Redwood City Saltworks project, Redwood City Saltworks project site, Redwood City salt production facilities, or any reference to Cargill operated facilities in Redwood City) in San Mateo County, California, since **September 22, 2015**. As with our previous requests, this request is for any and all documents and communications related to the DMB Redwood City Salt Plant, which **includes but is not limited to**:

1. Any and all documents related to the DMB Redwood City Salt Plant (also known as DMB Redwood City Saltworks project, Redwood City Saltworks project site, Redwood City salt production facilities, or Cargill operations in Redwood City) since September

[1] The term "documents" as used herein includes originals, non-identical copies and drafts, printed, reproduced by hand or otherwise, and includes, but is not limited to, correspondence, letters, memoranda, notes, e-mails, inter- or intra-office, agency, or departmental communications, records, summaries of personal or telephone conversations or interviews, minutes or records of meetings or conferences (including meetings of boards, committees, sub-committees, or any individual member thereof), press releases, telegrams, telexes, books, preliminary and final reports, logs, diaries, audio recordings, video recordings, computer files, charts, notebooks, calendars, statistical statements, tables, tabulations, calculations, data, diagrams, plans, drawings, blueprints, and orders, opinions or reports of consultants, experts, engineers, accountants or analysts.

22, 2015. This includes documents and communications shared through SharePoint or similar software.

2. Any and all communications between EPA (all offices) and other parties, including but not limited to the Corps (all offices), the Department of the Army (all offices, including the Office of the Assistant Secretary of the Army for Civil Works), Congress (members and staff), other Executive Branch employees, and non-government third parties, related to the DMB Redwood City Salt Plant (also known as DMB Redwood City Saltworks project, Redwood City Saltworks project site, Redwood City salt production facilities, or Cargill operations in Redwood City) since September 22, 2015. This includes instant messages, text messages, imessages, and any other chat communications. This also includes communications and/or documents sent via personal or non-government email addresses.

3. Any and all documents and/or communications from third-party contractors or consultants related to the DMB Redwood City Salt Plant (also known as DMB Redwood City Saltworks project, Redwood City Saltworks project site, Redwood City salt production facilities, or Cargill operations in Redwood City), including documents and communications shared through SharePoint or similar software, since September 22, 2015.

4. Any request (other than this letter) from any entity or person for any documents relating to the DMB Redwood City Salt Plant (also known as DMB Redwood City Saltworks project, Redwood City Saltworks project site, Redwood City salt production facilities, or Cargill operations in Redwood City) received on or after September 22, 2015, and all documents, communications, and records relating to such a request, including any response by EPA to that request.

In addition, please provide a copy of the EPA's response to any FOIA request by any party seeking documents relating to the above subject-matter as well as copies of any documents produced in response to such a request.

If an exemption or denial under FOIA is claimed, we request that you furnish us with all non-exempt portions of such records. We further request that, regardless whether the disclosure of a record is denied in whole or in part, EPA provide us with the following information regarding such withheld records or portions thereof:

1. The title of the record;
2. The date of the record;
3. A description of the general nature and subject matter of the record;

4. The identity of the author or authors of the record;
5. The identity of all persons who received the record; and
6. The reasons for the claim of exemption.

We are willing to pay appropriate fees attributable to this request and to make whatever payment arrangements are necessary. Under 40 C.F.R. § 2.107(b), the fee category is "commercial use request." However, please contact me if you estimate that the fees will exceed $2000. We request that these documents be provided either in paper form or in electronic format (either Word or Adobe pdf), whichever is cheaper.

Pursuant to 40 C.F.R. § 2.104(a), it is our understanding that we will receive a response within 20 working days from the date this request is received. Please direct copies of the information requested and all correspondence regarding this request to my attention at the above address. Thank you for your attention to this request. If you have any questions, please contact me at (202) 955-1919.

Sincerely,

Kenneth M Hatch for

Deidre D. Duncan