



United States Department of the Interior

OFFICE OF THE SOLICITOR
Washington, D.C. 20240

IN REPLY REFER TO:
Appeal No. 2015-014

July 2, 2015

DaVee Greer
Trace & Associates, LLC
1250 N. Wenatchee Avenue, Suite H-154
Wenatchee, WA 98801

Dear Mr. Greer:

This responds to the October 27, 2014, Freedom of Information Act ("FOIA") appeal ("appeal") that you filed with the Department of the Interior ("Department"), which it received on November 4, 2014, and assigned as **Appeal Number 2015-014**. Your appeal concerns your September 9, 2014, FOIA request to the Bureau of Reclamation ("BOR") that seeks copies of work orders related to signage to designate off limits fishing areas that were posted along the west bank below Grand Coulee Dam. In response to the request, the BOR advised you that "the work order for the signage is currently in progress and will not be signed and completed until all the sign work is complete. Therefore, we have no completed work orders." You filed the appeal to challenge the BOR's response to you.

Subsequent to the filing of the appeal, the BOR advised the Department that it has completed the work order that is the subject of your FOIA request. Therefore, to resolve the appeal, **by copy of this letter, the Department will REMAND the appeal to the BOR for it to:**

- **Make a determination on the release of the work order that the Appellant seeks in the September 9, 2014, FOIA request.**
- **Release to the Appellant any documents (or portions of documents) that are not protected from disclosure by any FOIA exemption.**
- **Within 20 workdays of the date of this decision, correspond directly with the Appellant regarding the remand of the appeal (with a copy to this Office), including releasing the non-exempt portions of responsive documents.**

As a final matter, the Department notes your request in the appeal for copies of the "'in progress' work orders and/or 'notes' concerning signage...that designate the public fishing area." If you remain interested in obtaining these documents in light of the fact that the BOR has now completed the work order that you requested and the Department's direction in this decision for the BOR to release the non-exempt portions of the final work order(s) to you, you must submit a new FOIA request to the BOR requesting copies of those "'in progress' work orders and/or 'notes'." Please ensure that you include in any such new FOIA request to the BOR information regarding your payment of processing fees, as required by the Department's FOIA regulations.¹

¹ See 43 C.F.R. § 2.6(a) (requiring a requester to "explicitly state [in his FOIA request that he] will pay all fees associated with processing the request, that [he] will pay fees up to a specified amount, and/or that [he is] seeking a fee waiver.").

This completes the Department's response to your appeal. If you have any questions regarding this matter, please call the FOIA Appeals Office at (202) 208-5339.

Sincerely,



Darrell R. Strayhorn
FOIA Appeals Officer
Department of the Interior

cc: Debbie Suehr, FOIA Officer, BOR (**FOR ACTION**)
Yadyra Esparza, Regional FOIA Coordinator, BOR-Pacific Northwest Region
Cindy Cafaro, Departmental FOIA Officer