

From: [Val and Heather Poll](#)
To: [FOIA-SPK](#)
Cc: [Val and Heather Poll](#)
Subject: [Non-DoD Source] Freedom of information request for SPK-2005-50297.
Date: Friday, March 11, 2022 3:14:40 PM

TO:
Freedom of Information Officer
Office of Counsel (CESPK-OC)
US Army Engineer District, Sacramento
1325 J Street, Room 1340
Sacramento, California 95814-2922
Phone: (916) 557-7596
Fax: (916) 557-5118
FOIA-SPK@usace.army.mil

FROM:
Name: Val L. Poll
Mailing address: 3823 Evergreen Drive, Pleasant View Ut 84414

Phone number: 801-920-2231
E-mail address: hpoll71@msn.com

Date: 3/11/2022

Dear Ms. Platt:

Pursuant to the Freedom of Information Act (FOIA) 5 U.S.C. 552, I would like to request the following federal government records which are under your agency's control:

Records, including the permit and mitigation instrument for project # SPK-2005-50297

I have been informed that processing fees for FOIA requests include professional search and review at \$44.00 per hour (billable on the ¼ hour) and reproduction costs at \$0.15 per page for standard copies and \$1.00 each for oversized and colored copies. I am willing to pay fees involved in the processing of this request.

I look forward to receiving the requested documents within twenty (20) working days as required by statute.

Val L. Poll
Signature



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922
March 21, 2022

Office of Counsel

SUBJECT: Freedom of Information Act Request No. FA-22-0083; Permit and Mitigation Instrument for Project Related to SPK-200550297

Mr. Val L. Poll
3823 Evergreen Drive
Pleasant View, Utah 84414

Dear Mr. Poll:

On March 14, 2022, our office received your Freedom of Information Act (FOIA) request for copy of permit and mitigation instrument project related to SPK-200550297.

There exists no agency record responsive to your request for copy of permit and mitigation instrument project related to SPK-200550297. Under current Army policy, a "no record" finding is to be treated as an "adverse determination" which can be appealed under 5 U.S.C. § 552(a)(6)(A)(i).

This letter constitutes formal notification that no agency records were located which would satisfy your request and that you may appeal this determination to challenge the adequacy of our search. This office will conduct another search if you can provide additional information which may assist us in locating the requested material such as date, title or name, author, recipient, and subject matter of the record sought/title of court case, the court in which the case was filed, and the nature of case/file designations or descriptions for records sought.

For the purpose of assessing fees, I have classified you as a commercial requester under 32 C.F.R. § 286.12(b)(1). The charge for providing the requested information is less than \$25.00, therefore no fee payment is required for this request. See id. § 286.12(e)(5).

Additionally, because your request has been denied, you are advised of your right to appeal this determination through this office to the Secretary of the Army (ATTN: General Counsel). Your appeal must be postmarked or electronically transmitted within 90 days of the date of this letter. The envelope containing the appeal should bear the notation "Freedom of Information Act Appeal" and should be sent to U. S. Army Corps of Engineers, Sacramento District, ATTN: CESPCK-OC, 1325 J Street, Room 1440, Sacramento, California 95814.

For any further assistance or to discuss any aspect of your request, you have the right to contact the U.S. Army Corps of Engineers FOIA Public Liaison. Additionally, you have the right to contact the Office of Government Information Services (OGIS) to inquire about FOIA mediation services they offer. Contact Information:

U.S. Army Corps of Engineers
FOIA Public Liaison
441 G. Street, NW
ATTN: CECC-L (Emily Green)
Washington, DC 20314-1000
Email: foia-liaison@usace.army.mil
Phone: 202-761-4791

Office of Government Information Services
National Archives and records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
E-Mail: ogis@nara.gov
Phone: 202-741-5770 or
Toll Free: 877-684-6448

If you have any questions regarding the provided information, please contact Ms. Andrea Vaiasicca, FOIA Specialist, at the above letterhead address or by calling (916) 550-9104.

Sincerely,



A. L. Faustino
District Counsel
Initial Denial Authority