
File Code: 6270
Date: September 21, 2021

Ann K. Brown
Open Government Coordinator
CENTER FOR BIOLOGICAL DIVERSITY
P.O. Box 11374
Portland, OR 97211-0374
foia@biologicaldiversity.org

RE: Freedom of Information Act Tracking Number 2021-FS-R3-05821-F

Dear Ms. Brown:

This is a final determination of your Freedom of Information Act (FOIA) request dated September 14, 2021, sent by email to the Southwestern Region FOIA Service Center and received on the same date. This request was assigned tracking number 2021-FS-R3-05821-F. Please include this tracking number in all communications regarding this request.

You requested:

A complete copy of the appraisal of “[t]he value of the Federal land and non-Federal land to be exchanged,” pursuant to Sec. 3003. Southeast Arizona Land Exchange and Conservation of PUBLIC LAW 113-291-DEC. 19, 2014. Attachment A (PUBLIC LAW 113-291-DEC. 19, 2014).

Please be advised that the appraisal evaluating the Resolution Copper lands proposed for trade for Oak Flat has not been completed at the time of your request, and the report, as well as all related records are still in draft form. Therefore, we are providing a “no records” response for the final report. Should the draft documents be requested at this time, they would be withheld in full under (b)(5) of the FOIA as pre-decisional. The FOIA does not require agencies to notify requesters when records become available. There are no fees associated with processing your request.

The FOIA provides you the right to appeal this response. Any appeal must be made in writing, within 90 days from the date of this letter to the Chief, USDA Forest Service. Additionally, due to the concerns surrounding the COVID-19 virus we are only accepting appeals electronically at this time. Please email your appeal to SM.FS.WOFOIA@usda.gov. The term “FOIA APPEAL” should be placed in capital letters on the subject line of the email along with the FOIA case number assigned to your request. To facilitate the processing of your appeal, please attach a copy of this letter to your request as well.



If you need any further assistance or would like to discuss any aspect of your request, please do not hesitate to contact the FOIA Public Liaison at (202) 205-1542. Additionally, you may contact the Office of Government Information Services, National Archives and Records Administration, to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, MD 20740-6001, email ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

If you have any questions regarding this final response, please contact Alisha Daniel via telephone at 505-321-2559 or via email at alisha.daniel@usda.gov.

We feel this fully satisfies your request with the Southwestern Region FOIA Service Center.

Sincerely,

MICHIKO J. MARTIN
Regional Forester

Enclosure

cc: Bosworth, Neil