

# PROTECT OUR COMMUNITIES FOUNDATION

VIA FACSIMILE AND CERTIFIED MAIL

June 30, 2009

Mr. William Metz, Forest Supervisor  
Cleveland National Forest  
10845 Rancho Bernardo Road Suite 200  
San Diego, CA 92127  
FAX (858) 673-6192

Re: Additional fee waiver information for FOIA CNF-009-012

Dear Mr. Metz:

The purpose of this letter is to respond to your letter of June 16, 2009 where you raise concerns over a requested fee waiver contained in a Freedom of Information Act (“FOIA”) request from The Protect Our Communities Foundation (“POC”) dated May 11, 2009.

According to your letter, POC’s requested fee waiver provided adequate information addressing Forest Service FOIA fee waiver regulation factors 1, 2, 4, 5, and 6 but that additional information would be needed for factor 3. You ask that additional information be provided addressing how POC will contribute to an understanding of the subject of the specific records requested and disseminate the information to a reasonably broad audience of persons interested in the subject.

Section IV of POC’s requested fee waiver contained the information you are requesting but additional information is provided below in an effort to resolve this matter.

POC has retained myself and an experienced environmental attorney and has many seasoned volunteer activists prepared to review and analyze the information requested in the FOIA. These professionals and activists in turn have the ability to organize and/or summarize and present to others the material in such a way that technical information is made understandable by people who are interested in the issue but may have less experience with raw technical or raw political information.

According to the fee waiver request, POC indicated that upon review of the requested documents and/or in the event some action is warranted in relation to the information contained in the requested documents (e.g. a letter to Forest Service or other government officials, a letter writing campaign to government officials, an appeal, or other actions) that POC would publicize such information or action. The term publicize as used here is inclusive of actions such as writing and distributing a press release, sending letters to the editor, sending email alerts to media contacts, writing editorial pieces, and other similar actions. Past publicizing activities by POC have resulted in television, newspaper, and radio news stories, letters to the editor, and editorial pieces in most news outlets in San Diego County which in turn has contributed to the understanding and reached a reasonably broad audience of persons interested in the Sunrise Powerlink. Similar future publicizing activities related to the requested materials would contribute to the understanding and reach a reasonably broad audience of persons interested in not just the powerlink generally but also the decision making processes of the Forest Service, Department of Interior, and Department of Energy that would be addressed by documents responsive to this FOIA.

POC also indicated in its fee waiver request that the informational publications of POC and closely affiliated organizations Backcountry Against Dumps and East County Community Action Coalition supply information not only to our membership, but also to the memberships of many other local and regional organizations. (The leaders of both Back Country Against Dumps and the East County Community Action Coalition are POC board members and information flows freely between the organizations to the organizations' membership and information lists.) POC maintains a website (<http://protectourcommunities.org/>) that over the last 3 years has been visited by tens of thousands of people and where information such as that requested is described and disseminated to a reasonably broad audience of persons interested in the Sunrise Powerlink and the decision making processes of the Forest Service, Department of Interior, and Department of Energy that would be addressed by documents responsive to this FOIA. POC maintains email distribution lists and postal mailing lists where information such as that requested is routinely described and disseminated to a reasonably broad audience of approximately 8,400 persons interested in the Sunrise Powerlink and the decision making processes of the Forest Service, Department of Interior, and Department of Energy that would be addressed by documents responsive to this FOIA.

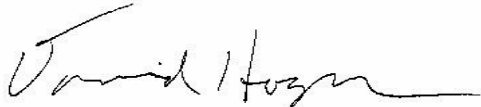
Information obtained, analyzed, and presented by POC professionals and activists in this and other matters is also routinely distributed by the following additional means: in regular bulk mailings by Back County Against Dumps to the approximately 800 households in the community of Boulevard; a website ([www.eastcountyaction.org](http://www.eastcountyaction.org)) and twice monthly newsletter by the East County Community Action Coalition; posting on the People's Powerlink website (<http://www.peoplespowerlink.org>) which receives approximately 1000 visitors per month; and distribution to email lists operated by the Lakeside Planning group which represents 15 planning group members and 75,000 constituents, the Lakeside Historical Society which represents 746 members, the San Diego East County Visitors Bureau, the San Diego Chapter of the Sierra Club, La Playa

Heritage, El Capitan View Estates, La Posta-Thing Valley Preservation Society, and many others.

We are hopeful that this information will address your concerns about the ability of POC to receive and analyze the information requested by the Forest Service and to present and distribute our analysis in a way that contributes to the understanding and is disseminated to a reasonably broad audience of persons interested in the powerlink and the related decision making processes of the Forest Service and other agencies.

In the interest of a timely response, please provide us with an estimated date for a fee waiver decision and for delivery of the requested documents as soon as possible. Please contact me at 760 809-9244 if you have any additional questions or concerns in this matter.

Sincerely,

A handwritten signature in black ink that reads "David Hogan". The signature is fluid and cursive, with a long horizontal stroke at the end.

David Hogan

Consultant to the Protect Our Communities Foundation  
P.O. Box 141  
Mount Laguna CA 91948