

September 29, 2005

Centreville, MD 21617

Chief, USDA, Natural Resources Conservation Service
14th and Independence Ave., SW, Room 5105-A
Washington, DC 20250

Re: Freedom of Information Act Appeal

Dear Sir:

I wish to appeal the decision of the Maryland NRCS Freedom of Information Act Officer to not release the Soil Conservation and Water Quality Plans developed for the Centreville, Maryland Waste Water Treatment Plant Spray Irrigation Farm.

The basis for his rejection of my request is a flawed interpretation of Section 2004 of the Farm Security and Rural Investment Act of 2002, specifically paragraph (b) "PRIVACY OF PERSONAL INFORMATION RELATING TO NATURAL RESOURCES CONSERVATION PROGRAMS" (Emphasis mine).

Although I appreciate and respect the protection of personal information under this paragraph, the information I request concerns a municipality not an individual farmer. Also, I am not seeking personal information provided to NRCS, but plans that were generated by the local NRCS field office. If there is somehow personal information contained within the plans, such information could be purged before sending me a copy.

Since there is no exemption by statute, then 5 U.S.C. Section 552(b)(3) does not apply either.

I also fail to see how 5 U.S.C. Section 552(b)(6) applies since I have not requested personnel nor medical files, nor a file that would be an invasion of *personal* privacy. Once again, personal information could be purged, if it does exist within the requested documents, before sending me a copy.

I thank you for your attention to the matter. If you need to contact me, please call me at work on _____ or write to me at the above address.

Sincerely Yours,
