



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403-5107

December 18, 2007

Office of Counsel

SUBJECT: Freedom of Information Act Request No. OC-08-261554

South Carolina Native Plant Society
Mr. Rick Huffman
PO Box 759
Pickens, SC 29671

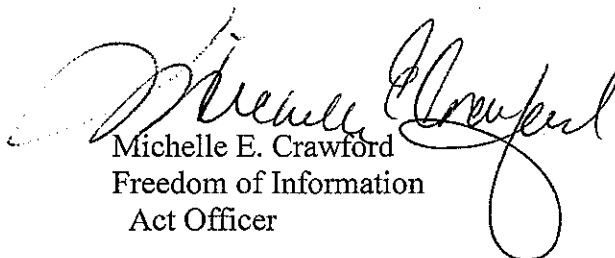
Dear Mr. Huffman:

In reference to your letter dated November 30, 2007, the document that you requested, Tyger River Dam-PAS Union County Report, has not been released pursuant to FOIA Exemption 5. There is no charge for this information.

Working papers and attorney work product/privileged documents are not releasable pursuant to Exemption 5 of the Freedom of Information Act (See Coastal States Gas Corp. v. Department of Energy, 617 F.2d 854 (DC Cir. 1980); Exxon Corp. v. Department of Energy, 585 F. Supp 690 (1983)).

In the above regard, it is the policy of the Department of the Army to release the maximum amount of information under the Freedom of Information Act, unless the information is exempt from release and a significant reason exists for nondisclosure. Accordingly, if you consider my response to be a denial of your request, you may appeal this determination through me as Initial Denial Authority to the Army General Counsel. The envelope containing the appeal should bear the notation "Freedom of Information Act Appeal." An appeal must be received within 60 days of the date of this letter.

Sincerely,



Michelle E. Crawford
Freedom of Information
Act Officer