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The Honorable Richard A. Jones

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STATE OF WASHINGTON, CITIZENS  
OF THE EBEL'S RESERVE FOR A  
HEALTHY, SAFE AND PEACEFUL  
ENVIRONMENT; and  
PAULA SPINA,

NO. 2:19-cv-01062-RAJ-JRC

Plaintiffs,

DECLARATION OF

v.

UNITED STATES DEPARTMENT OF  
THE NAVY, et al.,

Defendants.

DECLARATION OF

Pursuant to 28 USC § 1746, and under penalty of perjury, I, [REDACTED], declare that

the following is true and correct:

1. I am over the age of 18 and competent to testify in this matter. The information in this declaration is based on my personal knowledge.
2. I am married and the mother of a 4-month-old boy.
3. I moved to Whidbey Island in 2016. We have been in our home the same amount of time.

1 4. I work as a consultant for Bridgepoint Technologies an IT consulting firm. I work  
2 out of my home, which is located at [REDACTED] in Coupeville. My home is LEED Certified  
3 and extremely well insulated.

4 5. The noise levels inside my home when the jets are flying reach 108 decibels. The  
5 noise levels outside my home have measured 128 decibels. We hear the jets at this level when they  
6 are flying runway 14.  
7

8 6. Although this is our primary residence, we have been residents on Whidbey three-  
9 fourths time since 2016 while we were finishing up our work in Boulder, Colorado. This last spring,  
10 we heard that there was going to be an increase in flights, and that they were going to be flying  
11 runway 14 more often.

12 7. I was 32 weeks pregnant when we moved back full time to Coupeville in April of  
13 2019, and I noticed right away that the baby was reacting when the planes were flying runway 14.  
14 The baby would flip over and move around every time the planes were directly over the house and  
15 at their peak noise level.  
16

17 8. I called the Navy complaint line and left a message the first time the jets flew upon  
18 our return and felt my baby's reaction. I asked if there could be some type of notification when  
19 they were flying runway 14, or if they could fly a slightly wider pattern as I was very concerned  
20 for my unborn baby. Brian Tyhuis called me back two days later and left a voicemail that said that  
21 the Navy could not alter their flight path and they could not provide notification in more detail than  
22 what they already provide. He said that the EIS only looked at the impact of noise on school age  
23 children, not babies *in utero*.  
24

25 9. As I was concerned by my baby's reaction, I brought the noise levels up to my  
26 obstetrician. The information I received from my doctor, including the research attached to this

1 declaration (which is also available online here:  
2 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3665292/>), made me feel that the noise levels my  
3 baby was being exposed to were not safe, that I should not expose the baby to that level of noise,  
4 and that I should leave when the Navy conducts Growler overflights.

5  
6 10. I followed up with an email to the Navy outlining what my doctor had said and  
7 providing the research referenced above.

8 11. We have a 4-foot by 9-foot closet inside our home and under our carpeted stairs that  
9 has no outside walls. It is basically a room within a room. I realized I could go in there when the  
10 jets are flying and reduce the decibel exposure considerably. The decibel levels inside the closet  
11 measure at a peak of 70 decibels. I spent a lot of time in there during the last months of my  
12 pregnancy, and now that the baby is born, we still do when the jets fly. I am grateful that I have  
13 that closet, but it's unfortunate that living here means that I have to hide in a closet to protect my  
14 baby.  
15

16 12. This has recently become an unbearable situation as my baby gets older. He is no  
17 longer sleeping most of the day and is no longer happy to spend hours upon hours at a time in a  
18 closet. He also will not wear headphones for that period of time, nor should he have to in his own  
19 home.  
20

21 13. On November 7, 2019, the jets flew for four hours nonstop, directly over our house  
22 from 5 PM until after 9 PM. My son fussed and cried almost the entire time we had to be in the  
23 closet. We set a twin mattress in there so that if flying coincides with his naps or bedtime, he will  
24 hopefully sleep. This is no longer happening. He finally went to sleep that night at just before 9:00  
25 PM extremely tired and upset. His normal bedtime is between 6:30 and 7:00. I then had to move  
26 him from the closet to bed after the jets stopped, which woke him up again.

1           14. I have contacted my realtor and we will be forced to move if this does not stop. We  
2 love our home and our community and very much looked forward to raising our son here. We  
3 cannot subject him to a life where he suffers physical harm or has to spend hours upon hours each  
4 day in a closet to protect him.

5           15. I am personally angry and frustrated that it's come to this. This is our home and  
6 when we bought it, there was a commitment from the Navy to fly under a certain threshold of  
7 flights, which was tolerable. We heard them directly overhead maybe once every few months. This  
8 spring changed everything.

9           16. The idea that not only can the quiet use and enjoyment of my family's home be  
10 taken from us but, that further than that, we have to wear hearing protection or hide in a closet to  
11 protect ourselves from physical harm on a very regular basis is incomprehensible. I truly do not  
12 understand how we got here and that there is any question if this is right or legal as this is clearly  
13 harmful.

14           17. I have the utmost respect for our military and I greatly appreciate their service and  
15 the sacrifices they make for our freedom. I want the Navy to have the training they need. It seems  
16 like there must be a solution where they can get the training they need that does not impact the  
17 community in such a negative and harmful way.

18 I declare under penalty of perjury that the foregoing is true and correct.

19 Executed on this 12 day of February, 2020, in Coupeville, Washington.

20 BY:  \_\_\_\_\_  
