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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

[REDACTED]

v.

UNITED STATES DEPARTMENT OF
THE NAVY, et al.,

Defendants.

Pursuant to 28 U.S.C. § 1746 and under penalty of perjury, I [REDACTED] declare as follows:

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 reside at [REDACTED] in Coupeville, Washington along with my wife, [REDACTED]. I have owned a home here in Coupeville for thirty-two (32) years while [REDACTED] has been here for 16 years.
3. We are members of COER. We joined COER on May 26, 2013 because we were concerned that our quality of life was threatened by the Navy's introduction of the EA18-G "Growler" jets at the Coupeville Outlying Field (OLF).
4. I am a retired radiologist. With great effort, we built our retirement home on the water at Snakelum Point. We chose to live here because we enjoy the beauty and quiet of living on the water and to crab and fish. We kayak, sail and paddleboard off the beach as well. We enjoy outdoor fires and picnics with friends and family on the beach and love to garden. We appreciate the local wildlife: ospreys; eagles; blue herons; deer;

1 owls in the woods at night; and a great variety of waterfowl including ducks, geese,
2 cormorants, and kingfishers. There are eagle nests in the trees along Rhodena Dr. and
3 the Growlers fly *directly over them*. We deliberately designed and located our dream
4 home here for our retirement and planned on being here until we pass away and then
5 will leave it to our children.

- 6
- 7 5. Following the Navy's decision to significantly expand Growler operations in Central
8 Whidbey (Navy Growler Expansion Record of Decision, dated March 12, 2019
9 "ROD"), Growler training using the Path 14 route at the Coupeville OLF increased
10 dramatically. Prior to the March 2019 ROD, it seemed that there were fewer than a
11 dozen training days per year flying Path 14 and impacting us. After the ROD Growler
12 operations on both Paths were conducted on four to five days per week for weeks at a
13 time, with as many as two to three days per week flying over us depending upon wind
14 direction. This increase in number of days and number of operations directly over us
15 has made our plans for living in our home questionable at best.
- 16
- 17 6. When flying Path 14 the Growlers fly directly over our home at estimated height of
18 250 feet on their approach. The trees here average 120 to 130 feet in height. Noise
19 levels from the Growler operations make it impossible to converse in person or on the
20 telephone, to watch television, and to otherwise conduct our normal daily lives at
21 home. When the Growlers fly over our home it is intolerable outside even with
22 sound-reducing headphones *and* earplugs. Decibel levels inside the homes here (using
23 a neighbor's phone app) have read as high as 85 dB and outside as high as 116 dB as
24 measured by our neighbor. The level and intensity of indoor Growler sounds for us are
25 particularly noteworthy because *our home was built in 2014* and constructed to the
26 latest Island County, Washington noise attenuation building specifications. The
Growler sound, with its lower frequency component, penetrates the walls and double
pane windows quite readily.
7. We located our house on Snakelum Point so that we could enjoy our retirement
activities outdoors on and near the water. When Growlers are flying Path 14 we
cannot engage in any of our outdoor activities. If we are in our kayaks, hearing
damage is quite likely before we can get home.
8. Growler operations also impact the wildlife near our home. For example, on June 18,
2019, I took a video of two Osprey soaring above the trees at our home when a
Growler flew between the two birds causing them to scatter. I also have video of
eagles scattering when the jets flew near them as well. This is dangerous and I have
reported it to the Navy.
9. Perhaps the most egregious impact the Growlers have had upon our lives concerns
██████ physical challenge to tolerate chemotherapy for ovarian cancer. She was
diagnosed on January 9, 2019 and treatment began January 29th with an initial nine-
week course of chemotherapy, followed by major surgery and then an additional nine
weeks of chemotherapy. ██████ course of treatment and recovery at home occurred
during the abrupt increase in Growler operations on Path 14 in March 2019. Her
recovery required being able to rest and sleep, without any unnecessary stress. Once
the Growler expansion took place we had to stay indoors and keep our doors and

1 windows closed; there was no place in the house for her to rest and escape the
2 penetrating low frequency noise and resultant stress from overflights. Growlers
3 operations often went on until midnight and sometimes later, with jets passing
4 overhead continuously at 30 to 60 second intervals! The nurse assigned to [REDACTED]
5 treatment and recovery regime was very concerned about [REDACTED] inability to rest
6 because of Growler noise. [REDACTED] was in a constant state of stress, anxiety and
7 exhaustion during her recovery and the primary cause in our opinion was the
8 intolerable disruption of our lives from the jets.

6 10. I was particularly disturbed by the Growler noise during [REDACTED] treatment and
7 recovery in a different way. My major concern during her treatment was to do
8 everything possible to help make her treatment successful- and therefore to save her
9 life. The most serious factor I was unable to control was the stress caused by the
10 Growler training. Watching the effect the jet noise was having upon [REDACTED] rest and
11 recovery made me angry at what the Navy was doing to my wife's health and still
12 does. Exacerbating my frustration is when Growler supporters tell us to "just move or
13 leave home when they fly." [REDACTED] was severely immune compromised during this
14 time and we couldn't just move or leave our home during her treatment; life-
15 threatening infections were a very serious and real threat if we were to do so. And this
16 is our *retirement home which took years to plan and build!* Having to move from and
17 try to sell our home at our age to accommodate the Navy's self-serving decision feels
18 like a serious abuse of power and a wide-spread community abuse affecting us and
19 many of our neighbors as well. The lack of understanding and empathy from our
20 fellow citizens in Oak Harbor is disturbing. They do not know how incredibly intense
21 and life-disrupting this is, or they don't care since the training flights have now been
22 shifted significantly from Oak Harbor to Coupeville OLF.

16 11. Even now, after the finish of [REDACTED] chemotherapy, exposure to the Growlers still
17 causes us major anxiety and distress. When we even hear an approaching or
18 overflying jet, we experience high stress levels. Just hearing the first jet approaching
19 causes an angry, anxious, "fight or flight" reaction, an adrenaline surge, in both of us.
20 This is already intolerable and the Navy plans even more flights in the future!

19 12. It has gotten to the point in our lives where we must schedule our lives around the
20 operational schedule published by the Navy for the Coupeville OLF. Moreover, living
21 our lives around the flight schedule is extremely frustrating because, even though the
22 Navy publishes a weekly schedule, they do not necessarily adhere to the published
23 schedule and "reserve the right" to change it at the last minute with little or no notice.
24 Additionally, we cannot have our 18 month-old grandson visit us for fear of the jets'
25 noise while out at the beach or on a walk. His hearing would be damaged.

24 Dated this 16th day of December, 2019, in Coupeville, Washington

25
26 By: [REDACTED]

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