

# **ATTACHMENT A**



BRICKLIN & NEWMAN LLP  
lawyers working for the environment

Reply to: Seattle Office

August 31, 2021

FOIA Coordinator  
Navy Region Northwest  
1100 Hunley Road  
Silverdale, WA 98315-1100

via: FOIA ONLINE

Re: FREEDOM OF INFORMATION ACT REQUEST

Dear Commanding Officer and FOIA Coordinator:

I am requesting records under the Freedom of Information Act on behalf of Citizens of the Ebey's Reserve for a Healthy, Safe and Peaceful Environment ("COER"). This Freedom of Information Act request pertains to the EA-18G Growler noise monitoring study conducted pursuant to congressional direction in the National Defense Authorization Act ("NDAA") for Fiscal Year 2020. COER requests the following records:

1. All records related to and including the EA-18G Growler noise monitoring study conducted pursuant to congressional direction in the National Defense Authorization Act ("NDAA") for Fiscal Year 2020, including but not limited to: the noise monitoring study plan itself, type and models of equipment being used, resolution and type of raw sound data (*i.e.*, time resolution, frequency ranges, sound level weightings, audio sampling rate) being collected, how corresponding flight activity (*i.e.*, number of aircraft and their relative position) is being documented and assessed, the monitoring sites/locations, the periods of time and times of day all monitoring units are deployed during sampling weeks, methods for calculation of all noise metrics, the sampling scheme being used to represent flight types, flight activity, associated meteorological conditions under which they will be operated, and methods being used to associate the sound data with the corresponding flight type/track for the purpose of calculating the ensonified area, and dates anticipated for the report/publication to be completed and publicly available.
2. A copy of all raw data collected during each completed sampling quarter for all 11 locations on Whidbey Island, as well as data from the monitoring (including coordinated observer data) of the three semi-permanent locations on the Olympic Peninsula, Port Townsend, and Lopez Island. Data should be categorized by date, diel time (24-hour clock), site/location, and type of data: sound level measurements, audio sound recording, on-the-ground

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observations, number of aircraft operating, flight tracks, and flight schedules during the monitoring period(s).

3. All contract correspondence for this work, and contract award notice/information including budget and contractor(s) selected.

COER is a non-profit corporation incorporated in the State of Washington and has no commercial purpose nor any commercial, trade, or profit interests. Disclosure of the information requested is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government. The information requested will be used to further educate the public and citizens concerned over operations at or near NASWI. The information requested is likely to contribute significantly to the public understanding of the Navy's operations. This information will not be used for commercial purposes. We request a fee waiver pursuant to 5 U.S.C. §552(a)(4)(A)(ii)(II). The Navy has repeatedly and routinely granted previous fee waivers to COER over the past several years concerning operations at OLF-Coupeville.

If our request for a fee waiver is denied, please contact me immediately with the basis for the denial. We will arrange for payment for the requested documents under protest. If documents are withheld from disclosure in part or in whole, please specify which exemptions are claimed for each passage or whole document denied. Please provide a complete itemized inventory and detailed factual justification of total or partial withholding of documents, specifying the number of pages in each document and the total number of pages withheld.

Please "black out" rather than "whited out" excised material. I expect, as provided by the Freedom of Information Act, that the remaining non-exempt portions of documents will be released. Please include all records and raw data in whatever form they exist. COER prefers that the information be sent electronically.

I would appreciate your handling this request as quickly as possible and I look forward to your response within 20 days.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

s/ Zachary Griefen  
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