



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

5720
Ser DNS-36GC/22U113
March 23, 2022

Sent via email to: griefen@bnd-law.com

Mr. Zak Griefen
Bricklin & Newman LLP
1424 Fourth Ave, Suite 500
Seattle, WA 98101

Dear Mr. Griefen

This is the final response to your Freedom of Information Act (FOIA)/Privacy Act (PA) request dated August 31, 2021. Your request was received in our office on September 20, 2021 and assigned case number DON-NAVY-2021-010094.

In the course of processing your FOIA request this office worked in conjunction with Naval Facilities Command Mid-Atlantic, Deputy Chief of Naval Operations, Fleet Readiness and Logistics, and Deputy Assistant Secretary of the Navy (Environment and Mission Readiness) to provide responsive records to your request. We made three prior, interim responses to your request. On October 5, 2021, we provided eight documents totaling 75 pages. On October 28, 2021, we provided eight more documents also totaling 75 pages. And on October 29, 2021, we provided 17 documents totaling 49 pages. In this final response, we have identified 11 documents that total 385 pages.

Upon review of the 11 records, it has been determined that they contain instances of personally identifiable information (PII), such as the names, dates of birth, and social security numbers of individuals. These instances of PII are exempt from disclosure under 5 U.S.C. § 552(b)(6), since release of this information would result in a clearly unwarranted invasion of their personal privacy. The documents also contain information that is being withheld pursuant to 5 U.S.C. § 552(b)(5) because it is deliberative process privileged material, pre-decisional in nature, and/or contains working versions of documents. It has also been determined that portions of these records are exempt from disclosure pursuant to 5 U.S.C. § 552(b)(4) because these records refer to information that may be regarded as "trade secrets", as well as, commercial or financial information obtained from a person that is privileged or confidential. This exemption is intended to protect the interests of both the government and submitters of said information. The remainder of

the records are released to you.

In addition to the 11 documents provided to you, two documents have been withheld in their entirety pursuant to 5 U.S.C. § 552 (b) (4). These two records wholly contain information that may be regarded as "trade secrets", as well as, commercial or financial information obtained from a person that is privileged or confidential. The withholding of the documents is intended to protect the interests of both the government and submitters of said information.

Further, provided below is the link to the Navy's entire response to the 2020 NDAA requirement to measure sound levels of jet aircraft at Naval Air Station (NAS) Whidbey Island and NAS Lemoore. The webpage provides the detailed information on the design of the study, results of the monitoring, and data collected and/or produced during the study.

https://www.navfac.navy.mil/products_and_services/am/products_and_services/Sound_Monitoring.html

Because your request is partially denied, you are advised of your right to appeal this determination by writing to:

Office of the Judge Advocate General
1322 Patterson Ave SE Ste 3000
Washington Navy Yard, DC 20374-5066

Your appeal must be postmarked within ninety calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this decision to be in error.

For this determination, you have the right to seek dispute resolution services from either the DoD Navy Component FOIA Public Liaison, Mr. Chris Julka, at: Christopher.a.julka@navy.mil, via phone: (703) 697-0031; or by contacting the Office of Government Information Services at: (<https://ogis.archives.gov/>), (202) 741-5770, ogis@nara.gov.

Questions regarding the action this office has taken to process your request may be directed to our FOIA Service Center at (202) 685-0412 or via email at donfoia-pa@navy.mil.

Sincerely,
Gregory Cason

G. Cason
Deputy Director,
DON FOIA/PA Program Office