

# **EXHIBIT C**

U.S. Department of  
Homeland Security

United States  
Coast Guard



Commander  
United States Coast Guard  
Fifth Coast Guard District

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FOIA 2023-CGFO-02455

01 NOV 2023

Branden Matsnev  
Mank Gold Katcher & Fox LLP  
Three Bala Plaza East  
Suite 700  
Bala Cynwyd, Pennsylvania 19004  
Email: [bmatsnev@mankogold.com](mailto:bmatsnev@mankogold.com)

Dear Mr. Branden Matsnev:

This acknowledges receipt of your Freedom of Information Act/Privacy Act (FOIA/PA) request to the U.S. Coast Guard (USCG), dated 9/13/2023, and seeking requesting copies of the proposed Port of Wilmington Edgemoor Expansion located at 4600 HayRoad in the Edgemoor section of New Castle County, Delaware (the "Project") by Diamond State Port Corporation ("DSPC"). Your request was received in this office on 10/11/2023.

This is not a Denial. We conducted a comprehensive search of files within Sector Delaware Bay for records that would be responsive to your request. Unfortunately, we were unable to locate or identify any responsive records.

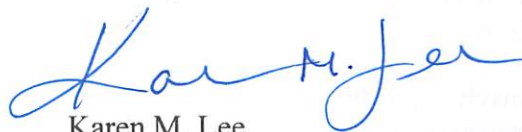
If you are not satisfied with the response to this request, you have the right to appeal. Should you wish to do so, you must send your appeal and a copy of this letter, within 90 days of the date of this letter, via email to [EFOIA@uscg.mil](mailto:EFOIA@uscg.mil) or by mail to: Commandant (CG-6P), ATTN: FOIA APPEALS, 2703 Martin Luther King Ave STOP 7710, Washington DC, 20593-7710 following the procedures outlined in the DHS regulations at 6 C.F.R. § 5.9. Your envelope and letter should be marked "FOIA Appeal." Copies of the FOIA and DHS regulations are available at [www.dhs.gov/foia](http://www.dhs.gov/foia).

If you need any further assistance or would like to discuss any aspect of your request, please contact [EFOIA@uscg.mil](mailto:EFOIA@uscg.mil) or you may contact our FOIA Public Liaison, Mrs. Amanda Ackerson, at 202-475-3522 in the same manner. Additionally, you have a right to right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Contacting the FOIA Public Liaison or OGIS does not stop the 90-day appeal clock and is not a substitute for filing an administrative appeal. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Provisions of the FOIA allow us to recover part of the cost of complying with your request. In this instance, because the cost is below the \$14 minimum, there is no charge.

ESOS VOX

Sincerely,



Karen M. Lee  
Commander, D5 Deputy Staff Judge Advocate  
U.S. Coast Guard