

EXHIBIT C



United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

IN REPLY REFER TO:
7202.4-OS-2020-00341

March 6, 2020

Via email: foia@democracyforward.org

Sam Ritzman
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043

Dear Mr.Ritzman,

On February 25, 2020, you filed a Freedom of Information Act (FOIA) seeking the following:

- A copy of the Office of the Solicitor opinion referred to in Secretary Bernhardt's November 4, letter in which the Office of the Solicitor determined that the exemption in section 6 is not limited to shoreline stabilization projects occurring within the System
- All records concerning the Coastal Barrier Resources Act, Section 6(a)(6)(G) exception, including but not limited to, all records containing any of the search terms from the below list:
 - a. 6(G)
 - b. 6(a)(6)(G)
 - c. exception AND "Section 6" (or "Sec. 6")
 - d. exemption AND "Section 6" (or "Sec. 6")
 - e. Morgenweck
 - f. FWS.CW.0380
 - g. shoreline stabilization

The date range for this request is December 1, 2018 to the date the search is conducted.

Your request was received in the Office of the Secretary FOIA office on February 27, 2020, and assigned control number **OS-2020-00341**. Please cite this number in any future communications with our office regarding your request.

Fee Category

We have classified you as an “other-use” requester. As such, we may charge you for some of our search and duplication costs, but we will not charge you for our review costs; you are also entitled to up to 2 hours of search time and 100 pages of photocopies (or an equivalent volume) for free.

See [43 C.F.R. § 2.39](#). If, after taking into consideration your fee category entitlements, our processing costs are less than \$50.00, we will not bill you because the cost of collection would be greater than the fee collected. See [43 C.F.R. § 2.37\(g\)](#).

Fee Waiver

Your request for a fee waiver has been granted

Processing Track

Your request falls into the “Complex” processing track. See [43 C.F.R. § 2.15](#).

You have asked for copies of agency records. According to our regulations, you may choose the format of disclosure for such records. Unless you specify otherwise, the Office of the Secretary will provide copies of responsive records electronically via email or CD-ROM as scanned PDF images when the responsive records exceed 50 pages.

Because we will need to search for and collect requested records from field facilities or other units that are separate from the office processing the request, and likely will need to consult with one or more bureaus of the Department in order to properly process your request, the Office of the Secretary FOIA office is taking a 10-workday extension under [43 C.F.R. § 2.19](#).

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of FOIA. See [5 U.S.C. 552\(c\)](#). This response is limited to those records that are subject to the requirements of FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

The 2007 FOIA amendments created the Office of Government Information Services (OGIS) to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation.

You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Web: <https://www.archives.gov/ogis>

Telephone: 202-741-5770
Fax: 202-741-5769
Toll-free: 1-877-684-6448

Mr. Sam Ritzman

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If you have any questions about this letter extending the due date, you may contact us by phone at 202-513-0765, by fax at 202-219-2374, by email at os_foia@ios.doi.gov, or by mail at U.S. Department of the Interior, 1849 C Street, NW, MS-7328, Washington, D.C. 20240.

Contact information for the Department's FOIA Public Liaison, who you may also seek dispute resolution services from, is available at <https://www.doi.gov/foia/foiacenters>.

Sincerely,

**LEAH
FAIRMAN**

Digitally signed by
LEAH FAIRMAN
Date: 2020.03.06
07:55:52 -05'00'

Leah Fairman
Office of the Secretary
FOIA Office