



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

5275 Leesburg Pike, MS: IRTM  
Falls Church, VA 22041



IN REPLY REFER TO:  
FWS-2020-002484

May 13, 2021

Sam Ritzman  
Democracy Forward Foundation  
P.O. Box 34553  
Washington, D.C. 20043  
Via email: [foia@democracyforward.org](mailto:foia@democracyforward.org)

Dear Mr. Ritzman:

This letter is to inform you that we are sending you a supplemental response to your Freedom of Information Act (FOIA) request dated February 25, 2020 and assigned control number DOI-FWS-2020-002484, is now complete. In your request, you asked for:

- 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:
  - 6(G)
  - 6(a)(6)(G)
  - *exception AND "Section 6" (or "Sec. 6")*
  - *exemption AND "Section 6" (or "Sec. 6")*
  - *Morgenweck*
  - *FWS.CW.0380*
  - *shoreline stabilization*

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

We sent a response to you on January 15, 2021. We provided you with 632 pages, and of those pages 115 were withheld in part. This supplemental response is releasing to you the CBRA consultation templates that were previously redacted. Also in this supplemental response, we are releasing an email which was redacted in this batch of responses, but released in another batch of responses (as can be seen in our FOIA reading room at <https://www.fws.gov/irm/bpim/foiacbra.html>, "DOI-FWS-2020-002484 and FWS-2020-00627 Part 4"). In this release, 77 pages are being withheld in part.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the 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.

If you have any questions regarding this request, please contact Maritiza Harris, FWS Government Information Specialist, via email at [FWHQ\\_FOIA@fws.gov](mailto:FWHQ_FOIA@fws.gov) or by mail at U.S. Fish and Wildlife Service; ATTN: Maritiza Harris; 5275 Leesburg Pike; MS: IRTM; Falls Church, VA 22041.

Sincerely,

for Cathy Willis  
FWS FOIA Officer