



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

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



November 14, 2023

Ms. Dana Hull  
Bloomberg News  
Pier 3  
San Francisco, CA 94111

REF: DOI-FWS-2023-003910

Dear Ms. Hull:

The United States Fish and Wildlife Service (FWS) Headquarters FOIA Office received your request dated April 11, 2023, and assigned tracking number FWS-2023-003910. Please refer to tracking number in communications regarding this request. You requested the following:

*I am requesting any email correspondence and/or summaries of phone calls between the Fish and Wildlife Service and the FAA regarding SpaceX and the planned Starship launch in Boca Chica from January 1, 2023 through the date this request is processed. Please send the information via email. I ask that the FWS waive any processing fees. To narrow the search so that it is not an undue burden on your staff, please focus on the key words "sound" and/or "decibel levels."*

### Response

For this final response, we processed three records (26 pages). Two records (23 pages) are being released to you in full. One record (3 pages) includes redactions under FOIA “Exemption 4”. A ShareFile link to access the responsive documents will be provided to you in a separate email.

#### **Exemption 4—43 C.F.R. §§ 2.23, .24**

We are withholding 1 document (1 page) in full and 1 document (3 pages) in part under FOIA Exemption 4. 5 U.S.C. § 552(b)(4). Exemption 4 protects “trade secrets and commercial or financial information obtained from a person [SpaceX] privileged or confidential.

The withheld information is a trade secret and/or commercial or financial information. The entity that supplied this information (the submitter) is considered a person, because the term “person,” under the FOIA, includes a wide range of entities including corporations. Also, the submitter does not customarily release this information to the public, so the information is confidential for the purposes of Exemption 4.

The decision to withhold this information was made by the undersigned and approved by Stacey Cummins, FWS FOIA Officer, Division of Information Resources & Technology Management (IRTM). Joan Marsan, Attorney-Advisor, in the Office of the Solicitor was consulted.

## **Mediation/Dispute Resolution**

If after contacting us as described below, you need further information or assistance with your request, you may wish to seek dispute resolution services from the Department's FOIA Public Liaison, Natasha Jones by email at [doifoiapublicliaison@sol.doi.gov](mailto:doifoiapublicliaison@sol.doi.gov).

If you need further information or assistance after contacting the Department's FOIA Public Liaison, you may wish to seek dispute resolution services from the Office of Government Information Services (OGIS). The 2007 FOIA amendments created the 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](mailto:ogis@nara.gov)  
Web: <https://www.archives.gov/ogis>  
Telephone: 202-741-5770  
Fax: 202-741-5769  
Toll-free: 1-877-684-6448

Please note that using OGIS services does not affect the timing of filing an appeal with the Department's FOIA & Privacy Act Appeals Officer.

## **Appeal Rights**

You may appeal this response to the Department's FOIA/Privacy Act Appeals Officer. If you choose to appeal, the FOIA/Privacy Act Appeals Officer must receive your FOIA appeal no later than 90 workdays from the date of this final response. Appeals arriving or delivered after 5 p.m. Eastern Time, Monday through Friday, will be deemed received on the next workday.

Your appeal must be made in writing. You may submit your appeal and accompanying materials to the FOIA/Privacy Act Appeals Officer by mail, courier service, fax, or email. All communications concerning your appeal should be clearly marked with the words: "FREEDOM OF INFORMATION APPEAL." You must include an explanation of why you believe this response is in error. You must also include with your appeal copies of all correspondence between you and FWS concerning your FOIA request, including your original FOIA request and this response. Failure to include with your appeal all correspondence between you and FWS will result in the Department's rejection of your appeal, unless the FOIA/Privacy Act Appeals Officer determines (in the FOIA/Privacy Act Appeals Officer's sole discretion) that good cause exists to accept the defective appeal.

Please include your name and daytime telephone number (or the name and telephone number of an appropriate contact), email address and fax number (if available) in case the FOIA/Privacy Act Appeals Officer needs additional information or clarification of your appeal.

DOI FOIA/Privacy Act Appeals Office Contact Information

Department of the Interior  
Office of the Solicitor  
1849 C Street, N.W.  
MS-6556 MIB  
Washington, DC 20240  
Attn: FOIA/Privacy Act Appeals Office  
Telephone: (202) 208-5339  
Fax: (202) 208-6677  
Email: [FOIA.Appeals@sol.doi.gov](mailto:FOIA.Appeals@sol.doi.gov)

**Conclusion**

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.

This is our final response and closes your request DOI-FWS-2023-003910. If you have any questions about our response to your request, you may contact me by email at [monika\\_malnowicz@fws.gov](mailto:monika_malnowicz@fws.gov), or by mail at U.S. Fish and Wildlife Service; ATTN: FOIA Office; 5275 Leesburg Pike; MS: IRTM; Falls Church, VA 22041.

Sincerely,

Monika Malnowicz  
FWS FOIA Coordinator